

**BOARD OF SUPERVISORS**

**MINUTES**

**April 14, 2004**

**Supervisors in Attendance:**

Mr. Kelly E. Miller, Chairman  
Mr. Edward B. Barber, Vice Chrm.  
Mrs. Renny B. Humphrey  
Mr. R. M. "Dickie" King, Jr.  
Mr. Arthur S. Warren

Mr. Lane B. Ramsey  
County Administrator

**Staff in Attendance:**

Mr. Carey Adams,  
Chief Deputy Treasurer  
Colonel Carl R. Baker,  
Police Department  
Mr. George Braunstein,  
Exec. Dir., Community  
Services Board  
Dr. Billy Cannaday, Jr.,  
Supt., School Board  
Ms. Marilyn Cole, Asst.  
County Administrator  
Mr. Roy Covington, Asst.  
Dir., Utilities  
Ms. Mary Ann Curtin, Dir.,  
Intergovtl. Relations  
Ms. Rebecca Dickson, Dir.,  
Budget and Management  
Mr. James Dunn, Dir.,  
Economic Development  
Mr. William Dupler,  
Building Official  
Ms. Lisa Elko, CMC  
Clerk  
Chief Stephen A. Elswick,  
Fire Department  
Mr. Dennis Farmer, Exec.  
Dir., Historical Society  
Mr. Marty Franciscus, Sr.  
Contract Administrator  
Mr. Michael Golden, Dir.,  
Parks and Recreation  
Mr. Bradford S. Hammer,  
Deputy Co. Admin.,  
Human Services  
Mr. John W. Harmon,  
Right-of-Way Manager  
Mr. Russell Harris, Mgr.  
of Community Development  
Services  
Mr. Joseph Horbal,  
Commissioner of Revenue  
Mr. Thomas E. Jacobson,  
Dir., Planning  
Mr. Donald Kappel, Dir.,  
Public Affairs  
Ms. Kathryn Kitchen, Asst.  
Supt. of Schools for  
Business and Finance  
Ms. Mary Lou Lyle, Dir.,  
Accounting  
Mr. Mike Mabe, Dir.,  
Libraries

Mr. R. John McCracken,  
Dir., Transportation  
Mr. Richard M. McElfish,  
Dir., Env. Engineering  
Mr. Steven L. Micas,  
County Attorney  
Dr. William Nelson,  
Dir., Health Dept.  
Mr. Francis Pitaro, Dir.,  
General Services  
Ms. Karen Reilly,  
Administrator,  
Interagency Services  
Mr. James J. L. Stegmaier,  
Deputy Co. Admin.,  
Management Services  
Mr. M. D. Stith, Jr.,  
Deputy Co. Admin.,  
Community Development  
Mr. Thomas Taylor, Dir.,  
Block Grant Office  
Sheriff Clarence Williams,  
Sheriff's Department

Mr. Miller called the regularly scheduled meeting to order at 3:40 p.m.

**1. APPROVAL OF MINUTES FOR MARCH 24, 2004**

On motion of Mr. Barber, seconded by Mr. Warren, the Board approved the minutes of March 24, 2004, as submitted.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**2. COUNTY ADMINISTRATOR'S COMMENTS**

There were no County Administrator's comments at this time.

**3. BOARD COMMITTEE REPORTS**

There were no Board committee reports at this time.

**4. REQUESTS TO POSTPONE ACTION, ADDITIONS, OR CHANGES IN THE ORDER OF PRESENTATION**

On motion of Mr. Barber, seconded by Mr. Warren, the Board replaced Item 8.B.12.c., Transfer of District Improvement Funds from the Matoaca District Improvement Fund to the Chesterfield County Historical Society to Purchase Chesterfield County Early Architecture and Historic Sites Book by Jeffrey M. O'Dell, Chesterfield an Old Virginia County 1607-1954 by Francis Earl Lutz, and Chesterfield an Old Virginia County 1955-1989, Vol. II by Dorothy Fuller Silvers for each of the Eleven High Schools Within the County; added Item 8.B.14., Request for Music/Entertainment Festival Permit for River's Bend Concert Series; deleted Item 14.A., Resolutions Supporting the Memory of Those who Have

Served and are Serving in the United States Military; moved Item 16.G., Public Hearing to Consider an Ordinance to Vacate a Portion of Perdue Lumber Company Subdivision, to be heard prior to Item 16.A., Public Hearing to Consider the Public Facilities Plan, an Amendment to The Plan for Chesterfield Relating to Public Facility Needs Through 2022; and adopted the Agenda, as amended.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

## **5. RESOLUTIONS AND SPECIAL RECOGNITIONS**

### **5.A. RECOGNIZING WILLIAM H. CARUTHERS, JR., COLONEL, U.S. ARMY (RETIRED)**

Mr. Kappel introduced Colonel Caruthers who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, on June 6, 1944, Major William H. Caruthers, Jr. of the 56<sup>th</sup> Signal Battalion, United States Army Infantry, was one of many Americans who were a part of the Allied forces that took to the beaches of Normandy, as part of the largest armada of land, sea, and air forces ever assembled, embarked on a great crusade across the English Channel to free the European continent of a tyranny that had taken hold and threatened to strangle the very freedoms that we cherish most; and

WHEREAS, Major Caruthers, as a Signal Corps officer, was one of only a few to land on Omaha Beach on June 6, 1944 and was also involved in the logistical planning of this invasion which included over 5,000 ships, 10,000 aircraft and 154,000 soldiers, sailors, and airmen from the United States, Great Britain, Canada, Poland, France, Norway, the Netherlands, Czechoslovakia, New Zealand, Australia, Luxembourg, and Belgium; and more than 9,000 Americans died during the invasion; and

WHEREAS, Major Caruthers played a vital role in the events leading up to the invasion including, but not limited to, organizing activities intended to perpetrate a deception that the invasion would occur in the Pas de Calais area and by participating in dangerous pre-June 6, 1944 U. S. Army Air Corps reconnaissance flights over Normandy; and

WHEREAS, Major Caruthers and his U. S. Army Signal Corps' 56<sup>th</sup> Signal Battalion detachment were not originally intended to go ashore until the beach-head was secure, but went ashore at approximately 8:30 a.m., and as his landing craft hit a sandbar, Major Caruthers jumped into 15 feet of water at which time one of his men fell mortally wounded; without regard for his own safety, he commenced to drag the soldier's body through the water with the intention of getting him to safety and to safeguard secret maps and documents that the soldier was carrying, and at this moment, Major Caruthers' image was captured in an historic photograph that has become an iconic record of D-Day; and

WHEREAS, the photographic image of Major Caruthers has been widely published and circulated in the 60 years since D-Day and also appeared on the cover of Time Magazine's commemorative May 28, 1984 edition, and the photograph has also been reprinted in countless reference books and textbooks as one of the most notable photographic images of World War II; and

WHEREAS, Major Caruthers resorted to using hand grenades taken from his fallen comrades because his rifle was disabled by sand and seawater and he suffered permanent hearing damage because of the concussions of grenades and explosions on Omaha Beach on June 6, 1944; and

WHEREAS, Major Caruthers received both the Silver and Bronze Star Medals for his actions on Omaha Beach; and

WHEREAS, born on December 20, 1915 in Phoenix, Arizona, Major Caruthers entered service in the United States Army on June 28, 1941, served in the U. S. Army Reserves from December 12, 1945 until April 19, 1961 and retired at the rank of Colonel; and

WHEREAS, Colonel Caruthers made his home in Virginia, working for Reynolds Metals Company--now Alcoa--for 32 years, retiring as Director of Patents and Licensing for the Mill Products Division in 1982; and

WHEREAS, the Chesterfield County Board of Supervisors recognizes Colonel Caruthers as one of the valiant American Army soldiers who were responsible for the beginning of liberation of the concentration camps as well as cities, towns, and villages throughout Europe that had suffered for so many years, thereby bringing liberty to millions; and

WHEREAS, the Chesterfield County Board of Supervisors and all citizens of the county owe a lasting debt of gratitude to those, like Colonel Caruthers, who pledged their lives to secure for us the blessings of liberty, and, 60 years later, allow us to recall the courage, spirit, and determination of those who went ashore on the windswept beaches of Normandy, the first beach-head for European freedom and one of the most epic battles in world history.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 14<sup>th</sup> day of April 2004, hereby expresses its gratitude and appreciation to its resident, Colonel William H. Caruthers, Jr., as a representative of all the residents of Chesterfield County who have fought in the armed services and returned to civilian life while, at the same time, being visible reminders in our society of the sacrifices that have been made so that we can all enjoy freedom in our professional and personal lives.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Following a brief slide presentation, Mr. Barber presented the executed resolution to Colonel Caruthers, accompanied by members of his family, and expressed appreciation for the sacrifices he made so that others can enjoy freedom today.

Colonel Caruthers' son, Mr. William Caruthers, expressed appreciation to the Board for honoring his father.

A standing ovation followed.

Mr. Miller stated it is people like Colonel Caruthers that have afforded us the quality of life and freedoms we enjoy today.

**5.B. RECOGNIZING MRS. ALESIA RAE CAMPBELL, GENERAL SERVICES, UPON HER RETIREMENT**

Mr. Pitaro introduced Mrs. Alesia Campbell who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Mrs. Alesia Rae Campbell retired on April 2, 2004 after providing nearly twenty-eight years of dedicated and faithful service to Chesterfield County; and

WHEREAS, Mrs. Campbell began her service on June 6, 1976 as a clerk in the Treasurer's Office where she served for eight years; and

WHEREAS, Mrs. Campbell provided ten years of quality service in the Utilities Department before coming to the General Services Radio Shop where she has provided ten years of excellent customer service as an Automation Technician; and

WHEREAS, Mrs. Campbell has seen the county grow from a population of 114,000 to 284,000 and has been involved in activities and served on committees on behalf of the county and its citizens, including the Chesterfield Employees Association, Christmas Mother Program, Book Bag Fund, and Employee Advisory Committee; and

WHEREAS, Mrs. Campbell is a graduate of TQI University as well as the Employee Leadership Institute, and was selected in 2003 as the Employee of the Year for the Department of General Services; and

WHEREAS, Mrs. Campbell always performed her duties and responsibilities in an excellent manner and placed the welfare and safety of citizens and fellow county employees above her own personal comfort and feelings and will be missed by her fellow co-workers.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 14<sup>th</sup> day of April 2004, publicly recognizes Mrs. Alesia Rae Campbell and extends appreciation for her twenty-eight years of dedicated service to the county, congratulations upon her retirement, and best wishes for a long and happy retirement.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Mrs. Campbell and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. Miller presented the executed resolution and a Jefferson Cup to Mrs. Campbell, accompanied by members of her family and Mr. Gerald Smith, Radio Shop Supervisor, expressed appreciation for her dedicated service, and wished her well in her retirement.

Mrs. Campbell expressed appreciation to the Board for the recognition and stated Chesterfield County is a great place to work.

## **6. WORK SESSIONS**

### **6.A. PUBLIC FACILITIES PLAN, AN AMENDMENT TO THE PLAN FOR CHESTERFIELD RELATING TO PUBLIC FACILITY NEEDS THROUGH 2022**

Mr. Carl Schlaudt, Principal Planner, presented a summary of the proposed amendments to the Public Facilities Plan. He stated the Plan recommends 73 new facilities by 2022 and provided details of the methodology used to assess needs. He further stated the following facilities are recommended by 2022: six new and five expanded fire/rescue stations; four new and four expanded library branches; 29 new neighborhood parks, ten new community parks (of which three would be in lieu of the Northern Midlothian Regional Park suggested in the Parks and Recreation Master Plan), one expanded special purpose park and nine new special purpose parks; one new police station and three new community policing offices; five new elementary schools and one expanded elementary school, two new middle schools and one expanded middle school, two new high schools (one of which is pending construction), and one expanded high school. He reviewed the County Administrator's proposed text changes to the Planning Commission's recommendation, including allowing for a Clover Hill High School replacement in 2009 or later; allowing flexibility to replace older school facilities; allowing additional flexibility for Fire/EMS response; and noting that park projects can be met through public/private partnerships. He stated Mr. Barber is recommending a text change to allow greater locational flexibility for library facilities in the Robious Road area.

Mrs. Humphrey requested that the "rural" community be changed to "Winterpock" on page 5 of the Introduction to the Plan.

In response to Mrs. Humphrey's question, Mr. Ramsey stated the text regarding library identification would allow for either expansion/renovation of the existing Ettrick/Matoaca Library or replacement of the library.

Mr. Miller thanked Mr. Schlaudt for the informative presentation.

### **6.B. THE COUNTY ADMINISTRATOR'S PROPOSED FY2005/2006 BIENNIAL FINANCIAL PLAN, THE PROPOSED FY2005 COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME ANNUAL PLAN, AND THE PROPOSED FY2005-FY2011 CAPITAL IMPROVEMENT PROGRAM**

Ms. Dickson presented a summary of changes to the FY2005/2006 budget. She reviewed FY2005 Police Department actions

requested, including appropriating \$310,000 in federal grant funds for police officer salaries, appropriating \$97,100 for the FY2005 local match for salaries and decreasing the donations appropriation by \$97,100 to pay for salaries; appropriating \$300,000 in reserve funds for the purchase of police vehicles and consider funding \$249,200 from the FY2004 results of operations for balance of the capital; and creating 17 positions. She then reviewed FY2006 Police Department actions requested, including approving \$692,500 in federal grant funds for officer salaries and approving \$273,500 for the local match for salaries; designating \$500,000 for police vehicles in the Capital Reserve; decreasing \$500,000 in FY2006 Diamond funding in the CIP for vehicles; consider funding \$155,600 from the FY2005 results of operations for balance of the capital; and creating six positions. She provided details of changes to the proposed fee structure for waste and resource recovery, including replacing the landfill pass and decals with a new customer value card. She noted that refuse collection and bagged leaf collection fees would remain a free service to qualified tax relief customers. She stated that elimination of the leaf vacuum program except to qualified tax relief customers would result in a budget adjustment of \$100,000, indicating that the resources freed up as a result of eliminating the program would allow for the implementation of a new litter clean-up program. She provided details of the litter clean-up program and reviewed budget actions requested for the program, including appropriating \$20,000 for the Virginia Department of Transportation's contribution and appropriating \$35,600 in litter grant funds. She continued to review additional requested actions, including decreasing donations by \$200,000; increasing the Historical Society contribution by \$88,000 in support of the Richmond 2007 event; appropriating \$59,100 in grant funding for a Terrorism Coordinator position and creating the new position; reducing debt service by \$57,900 due to refinancing; and miscellaneous budget correction actions. She then reviewed requested actions for the Schools budget, including appropriating \$3,552,000 for the Appomattox Regional Governor's School in order to assume fiscal agent responsibilities; and providing \$468,000 for a technical adjustment to the Construction Management operating budget. She reviewed the recommended FY2005-2011 Capital Improvement Program, including changes requested by Board members. She reviewed changes to the FY2004 budget, including use of \$125,000 Reserve for Capital Projects for unexpected building repairs and maintenance items incurred in General Services; use of \$260,000 Reserve for Capital Projects for start-up expenses and capital needed for the New Jail Project for the Sheriff's Department; and reduce the 360 West Area Park by \$200,000 and increase Spring Run Athletic Field Project by the same amount. She stated Mr. Ramsey is recommending that \$249,200 be provided from FY2004 Results of Operations as capital for new Community Policing positions to be added in FY2005; and that \$155,600 be provided from FY2005 Results of Operations as capital for new Community Policing positions to be added in FY2006. She then reviewed Board actions requested. She noted the ordinance amendment relating to Building Inspection fees has been re-advertised for a public hearing on April 28, 2004 with commercial fees remaining constant and residential fees increasing to approximately \$1,000.

Mr. Warren stated he believes the Litter Program is a positive step and suggested that staff work with the City of Richmond to clean up the Chippenham Parkway area.

Mr. Charles Dane, Assistant Director of General Services, stated negotiations have already begun with the City of Richmond to address this issue.

Mrs. Humphrey inquired about the possibility of a partnership with Pocahontas State Park to address litter on the roads that circumvent the park.

Mr. Dane stated staff is hopeful that a partnership will be developed with the park to address this area.

Mr. Miller stated litter has become a serious problem in the county, and assistance and cooperation from the citizens will be required to make the program work. He requested that citizens commit themselves to the new litter clean-up program.

## **7. DEFERRED ITEMS**

There were no deferred items at this time.

## **8. NEW BUSINESS**

### **8.A. BUDGET ITEMS**

#### **8.A.1. TO CONSIDER ORDINANCE AMENDMENTS RELATING TO FEES FOR COLLECTING DELINQUENT TAXES**

Ms. Dickson stated the Board held a public hearing on March 24, 2004 relating to fees for collecting delinquent taxes. She further stated staff recommends adoption of the proposed ordinance.

On motion of Mr. Barber, seconded by Mr. King, the Board adopted the following ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY  
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING  
AND RE-ENACTING SECTION 9-5 RELATING TO  
FEES FOR COLLECTING DELINQUENT TAXES

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Section 9-5 of the Code of the County of Chesterfield, 1997, as amended, is amended and re-enacted to read as follows:

#### **Sec. 9-5. Fee imposed for collecting delinquent taxes.**

Any person who fails to pay taxes or other charges to the county when due shall be charged a delinquent collection fee. The delinquent collection fee shall consist of administrative costs, attorney's fees, and collection agency fees.

Administrative costs shall be:



(1) Thirty dollars (\$30.00) if the treasurer collects subsequent to 30 or more days after notice of delinquent taxes or other delinquent charges but prior to judgment; and

(2) Thirty dollars (\$30.00) if the treasurer collects the taxes or other charges after judgment.

Attorney's fees and collection agency fees shall not exceed 20 percent of the taxes or other charges collected.

The entire delinquent collection fee imposed by this section shall not exceed twenty (20) percent of the delinquent tax bill or other delinquent charges and shall be in addition to all applicable penalties and interest.

(2) That this ordinance shall become effective immediately upon adoption.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.A.2. TO CONSIDER AN ORDINANCE ESTABLISHING THE ANNUAL TAX LEVY ON VARIOUS CLASSES OF REAL ESTATE AND PERSONAL PROPERTY**

Ms. Dickson stated the Board held a public hearing on March 24, 2004 relating to an ordinance establishing the annual tax levy on various classes of real estate and personal property. She further stated staff recommends adoption of the proposed ordinance.

On motion of Mr. King, seconded by Mr. Barber, the Board adopted the following ordinance:

**AN ORDINANCE TO ESTABLISH THE ANNUAL TAX LEVY  
ON VARIOUS CLASSES OF PROPERTY FOR THE  
COUNTY OF CHESTERFIELD**

BE IT ORDAINED by the Board of Supervisors of the County of Chesterfield that for the year beginning on the first day of January, 2004, and ending on the thirty-first day of December, 2004, the taxes on property in all the Magisterial Districts of the County of Chesterfield shall be as follows:

**Sec. 1. Real Property and Mobile Homes.**

On tracts of land, lots or improvements thereon and on mobile homes the tax shall be \$1.07 on every \$100 of assessed value thereof.

**Sec. 2. Personal Property.**

(a) On automobiles, trailers, boats, boat trailers, other motor vehicles and on all tangible personal property used or held in connection with any mining, manufacturing or other business, trade, occupation or profession, including furnishings, furniture and appliances in rental units, the tax shall be \$3.60 on every \$100 of the assessed value thereof.

(b) On aircraft as defined by Section 58.1-3503 and -3506 of the Code of Virginia, 1950, as amended, the tax shall be \$.50 on every \$100 of the assessed value thereof.

(c) On motor vehicles owned or leased by members of volunteer rescue squads, volunteer fire departments, volunteer police chaplains and by auxiliary police officers as provided in Section 9-57, Code of the County of Chesterfield, 1997, as amended, the tax shall be \$.96 on every \$100 of the assessed value thereof.

(d) On wild or exotic animals as defined by Section 58.1-3506 of the Code of Virginia, 1950, as amended, the tax shall be \$0.01 on every \$100 of the assessed value thereof.

(e) On motor vehicles which use clean special fuels as defined in Section 58.1-2101 of the Code of Virginia, 1950, as amended, the tax shall be \$3.24 on every \$100 of the assessed value thereof.

(f) On motor vehicles, trailers, and semitrailers with a gross vehicle weight of 10,000 pounds or more used to transport property for hire by a motor carrier engaged in interstate commerce, the tax shall be \$.96 on every \$100 of the assessed value thereof.

### **Sec. 3. Public Service Corporation Property.**

(a) On that portion of real estate and tangible personal property of public service corporations which has been equalized as provided in Section 58.1-2604 of the Code of Virginia, 1950, as amended, the tax shall be \$1.07 on every \$100 of the assessed value thereof determined by the State Corporation Commission.

(b) The foregoing subsections to the contrary notwithstanding, on automobiles and trucks belonging to such public service corporations the tax shall be \$3.60 on every \$100 of assessed value thereof.

### **Sec. 4. Machinery and Tools.**

On machinery and tools used in a manufacturing or mining business the tax shall be \$1.00 on every \$100 assessed value thereof.

Ayes: Miller, Barber, Humphrey, King and Warren.  
Nays: None.

### **8.A.3. TO CONSIDER THE FY2005-2011 CAPITAL IMPROVEMENT PROGRAM**

Ms. Dickson stated the Board held a public hearing on March 24, 2004 to consider the proposed FY2005-2011 Capital Improvement Program (CIP). She further stated staff is requesting that the CIP, with changes as presented during the work session, be approved.

On motion of Mr. Warren, seconded by Mr. King, the Board approved the FY2005-2011 Capital Improvement Program, as amended.

Ayes: Miller, Barber, Humphrey, King and Warren.  
Nays: None.

**8.A.4. CONSIDERATION OF THE REVOCATION OF A RESOLUTION  
AMENDING THE MORAL OBLIGATION AGREEMENT AMONG  
CHESTERFIELD, HENRICO, RICHMOND AND THE RICHMOND  
METROPOLITAN AUTHORITY TO RENOVATE AND UPGRADE THE  
DIAMOND**

Mr. Barber made a motion, seconded by Mrs. Humphrey, for the Board to revoke the resolution adopted by the Board of Supervisors on September 17, 2003 authorizing the County Administrator to execute the amended moral obligation agreement between Chesterfield, Henrico, Richmond and the Richmond Metropolitan Authority (RMA) in conjunction with financing of the renovation project for the existing Diamond.

Mr. Barber stated if The Diamond renovations are not going to move forward, then the county should not be bound by the moral obligation agreement.

Mrs. Humphrey stated she is disappointed that the RMA leadership misrepresented the pending agreement with the Atlanta Braves.

Mr. King stated he believes the funding needed for the moral obligation could better be spent on county citizens for roads, schools, parks, etcetera rather than on cultural experiences in another locality.

Mr. Warren stated he supports the motion because of the changes that have occurred since the Board's original vote.

Mr. Miller stated proposal did not make good business sense to him when it was originally presented and still does not. He further stated he believes the Board should tend to the county's needs before determining the appropriation of any excess funds.

Mr. Miller then called for a vote on the motion of Mr. Barber, seconded by Mrs. Humphrey, for the Board to revoke the resolution adopted by the Board of Supervisors on September 17, 2003 authorizing the County Administrator to execute the amended moral obligation agreement between Chesterfield, Henrico, Richmond and the Richmond Metropolitan Authority (RMA) in conjunction with financing of the renovation project for the existing Diamond.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.A.5. TO CONSIDER THE FY2005 COMMUNITY DEVELOPMENT BLOCK  
GRANT AND HOME ANNUAL PLAN**

Ms. Dickson stated the Board held a public hearing on March 24, 2004 to consider the proposed FY2005 Community Development Block Grant (CDBG) and HOME Annual Plan. She further stated staff recommends adoption of the Plan with changes as presented.

On motion of Mrs. Humphrey, seconded by Mr. King, the Board adopted the county's FY2005 Community Development Block Grant and HOME Annual Plan, as amended.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.A.6. TO CONSIDER THE FY2005-FY2006 BIENNIAL FINANCIAL PLAN**

Ms. Dickson stated the Board held a public hearing on March 24, 2004 to consider the proposed FY2005-FY2006 Biennial Financial Plan. She further stated staff recommends adoption of the Plan with changes as presented.

On motion of Mr. Barber, seconded by Mr. King, the Board approved the FY2005-2006 Biennial Financial Plan, as amended.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. Ramsey noted the state budget uncertainties may require staff to return to the Board to amend the budget. He commended Board members, Dr. Cannaday and staff for meeting the challenges of this year's budget.

**8.A.7. ADOPTION OF RESOLUTIONS APPROPRIATING FUNDS FOR FISCAL YEAR 2005 AND APPROVING FUNDS FOR FISCAL YEAR 2006**

Ms. Dickson stated staff is requesting that the Board adopt the resolutions appropriating funds for FY2005 and approving funds for FY2006.

On motion of Mr. Barber, seconded by Mrs. Humphrey, the Board adopted the following resolution:

A RESOLUTION TO APPROPRIATE DESIGNATED FUNDS AND ACCOUNTS FROM DESIGNATED ESTIMATED REVENUES FOR FY2005 FOR THE OPERATING BUDGET AND THE CAPITAL IMPROVEMENTS PROGRAM FOR THE COUNTY OF CHESTERFIELD, VIRGINIA

BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Chesterfield:

That for the fiscal year beginning on the first day of July 2004, and ending on the thirtieth day of June 2005, the following sections shall be adopted:

Sec. 1 The following designated funds and accounts shall be appropriated from the designated estimated revenues to operate and to provide a capital improvements program for the county. It is the intent of the Board of Supervisors that general property taxes levied on January 1, 2004 and due December 5, 2004 be appropriated for FY2005.

<u>General Fund</u>		<u>FY05 Adopted</u>
<u>Estimated</u>	From Local Sources:	
<u>Revenue:</u>		
	General Property Taxes	\$269,091,800
	Other Local Taxes	81,206,800
	Licenses, Permits, Fees	9,261,200
	Fines, Forfeitures and Uses of Money & Property	3,077,900
	Service Charges	24,871,100
	Miscellaneous and Recovered Costs	8,251,200
	From Other Agencies:	
	State and Federal	\$115,285,400
	Other Financing Sources:	
	Reserves	\$10,839,700
	Transfer from General Fund	66,100
	Transfer from County Capital Projects	184,000
	Transfer from Water Operating Fund	1,214,500
	Anticipated Fund Balance 7/1/04	<u>38,472,600</u>

<b>Total Revenues</b>	<b>\$561,822,300</b>
<i>Appropriations:</i> General Government	\$35,008,600
Administration of Justice	6,275,600
Public Safety	110,808,400
Public Works	14,975,700
Health and Welfare	46,177,900
Parks, Rec., Cultural	17,361,700
Community Development	11,971,900
Debt Service	14,919,000
Operating Transfers	263,166,000
Reserves	1,934,900
Ending Fund Balance, 6/30/2004*	<u>39,222,600</u>
<b>Total General Fund:</b>	<b>\$561,822,300</b>

\*This includes encumbrances carried forward in all funds not to exceed \$10 million. (See "Section 5")

#### Comprehensive Services Fund

<i>Estimated Revenue:</i>	Reimbursement, Colonial Heights	\$200,600
	State Aid, Comprehensive Services	4,676,400
	State, Miscellaneous	120,000
	Transfer from Social Services	445,200
	Transfer from Schools	1,038,300
	Transfer from General Fund	<u>1,483,500</u>
	<b>Total Revenue</b>	<b>\$7,964,000</b>
<i>Appropriations:</i>	Operating Expenses	<u>\$7,964,000</u>
	<b>Total Appropriations</b>	<b>\$7,964,000</b>

#### School Operating Fund

<i>Estimated Revenue:</i>	Local Sources	\$14,816,500
	State	171,204,000
	Federal	21,444,500
	Transfer from School CIP	275,000
	Use of Reserve	434,000
	Transfer from School Operating	604,400
	Transfer from School Food Service	575,000
	Transfer from General Fund:	
	State Sales Tax	37,467,400
	Local Taxes	196,367,900
	Prior Year Revenue	456,700
	Grounds Maintenance	<u>1,578,100</u>
	<b>Total General Fund</b>	<b>\$235,870,100</b>
	Beginning Balance	<u>1,000,000</u>
	<b>Total Revenues, Transfers &amp; Reserves</b>	<b>\$446,223,500</b>
<i>Appropriations:</i>	Instruction	\$312,788,541
	Administration / Attendance & Health	16,401,805
	Pupil Transportation	17,643,321
	Operations & Maintenance	45,392,933
	Debt Service	38,066,800
	Food Service	14,352,000
	Grounds Maintenance	<u>1,578,100</u>
	<b>Total Appropriations</b>	<b>\$446,223,500</b>

#### School Capital Projects Fund

<i>Estimated Revenue:</i>	Bond Proceeds	\$11,906,400
	Interest Earnings	275,000
	Proffered Funds	2,604,800
	Reimbursement for Services	468,000
	Use of reserve	<u>0</u>
	<b>Total Revenue School Capital Projects Fund</b>	<b>\$15,254,200</b>
<i>Appropriations:</i>	Transfer to School Operating Fund	\$275,000
	School Projects	14,511,200
	CIP Management	<u>468,000</u>
	<b>Total Appropriations School Capital Projects Fund</b>	<b>\$15,254,200</b>

**Schools - Appomattox Regional Governor's School Fund**

<i>Estimated Revenue:</i>	Local Sources	\$2,186,196
	State	805,404
	Federal	500,000
	Use of Reserves	0
	Transfer from Operating	<u>10,400</u>
	<b>Total Revenues</b>	<b>3,502,000</b>
	Beginning Fund Balance	<u>50,000</u>
	<b>Total Revenue, Transfers and Reserves</b>	<b>\$3,552,000</b>
<i>Appropriations</i>	Education	\$3,541,600
	Transfer to Grants	<u>\$10,400</u>
	<b>Total Appropriations</b>	<b>\$3,552,000</b>

**County Grants Fund:**

<i>Estimated Revenue:</i>	From Other Governments	\$7,366,600
	From the General Fund	<u>1,578,900</u>
	<b>Total Revenue</b>	<b>\$8,945,500</b>
<i>Appropriations:</i>	Commonwealth Attorney - Drug Court	\$603,200
	Community Corrections Services	
	Domestic Violence Resource Center	79,300
	Options	63,200
	Pretrial	396,600
	Post Trial	1,571,200
	Targeted Capacity Expansion Grant	299,200
	Community Development Block Grant	2,446,300
	Community Services Board Part C Grant	433,000
	Domestic Violence Prosecutor	82,800
	Domestic Violence Victim Advocate (V-STOP)	38,400
	Families First	373,700
	Federal Day Care Grant	30,000
	Litter Grant	81,600
	Police - Domestic Violence Coordinator	46,600
	Police - School Resource Officers	44,900
	Police: COPS/Universal Hiring Practices Grant	407,100
	Project Exile Grant (Commonwealth's Attorney)	121,900
	Terrorism Coordinator Grant	59,100
	USDA Juvenile Detention Grant	40,000
	Victim/Witness Assistance	384,500
	VJCCCA	<u>1,342,900</u>
	<b>Total Appropriations</b>	<b>\$8,945,500</b>

**County CIP Fund**

<i>Estimated Revenue:</i>	Lease/Purchase Proceeds	\$6,495,800
	Interest Earnings	0
	General Obligation Bonds	5,733,000
	Transfer from General Fund	10,283,400
	Transfer from Utilities	70,000
	Transfer from Cash Proffers	437,400
	State Grants/Reimbursements	<u>250,000</u>
	<b>Total Revenue</b>	<b>\$23,269,600</b>
<i>Appropriations:</i>	County Capital Projects	\$23,269,600
	Transfer to the General Fund	<u>0</u>
	<b>Total County CIP Funds</b>	<b>\$23,269,600</b>

**County Maintenance Projects Fund**

<i>Estimated Revenue:</i>	Transfer from General fund	<u>\$2,050,000</u>
	<b>Total Revenue</b>	<b>\$2,050,000</b>
<i>Appropriations:</i>	County Maintenance Projects	<u>\$2,050,000</u>
	<b>Total County Maintenance Projects</b>	<b>\$2,050,000</b>

**Cash Proffer  
Fund**

<i>Estimated Revenue:</i>	Cash Proffers	<u>\$607,400</u>
	<b>Total Revenues</b>	<b>\$607,400</b>
<i>Appropriations:</i>	Reimbursement	\$170,000
	Transfer to County Capital Projects Fund	<u>437,400</u>
	<b>Total Appropriations</b>	<b>\$607,400</b>

**Vehicle and Communications Maintenance**

<i>Estimated Revenue:</i>	Fleet Management Charges	\$9,995,300
	Radio Shop Charges	<u>1,657,300</u>
	<b>Total Revenue</b>	<b>\$11,652,600</b>
<i>Appropriations:</i>	Fleet Management Charges	\$9,995,300
	Radio Shop Charges	<u>1,657,300</u>
	<b>Total Appropriations</b>	<b>\$11,652,600</b>

**Construction Management Fund**

<i>Estimated Revenue:</i>	Reimbursement for Services	<u>\$529,500</u>
	<b>Total Revenue</b>	<b>\$529,500</b>
<i>Appropriations:</i>	Construction Management Operations	<u>\$529,500</u>
	<b>Total Appropriations</b>	<b>\$529,500</b>

**Risk Management Fund**

<i>Estimated Revenue:</i>	Operating Revenues	\$5,035,200
	Interest Earnings	0
	Beginning Retained Earnings	<u>400,000</u>
	<b>Total Revenue</b>	<b>\$5,435,200</b>
<i>Appropriations:</i>	Risk Management Operations	\$5,073,000
	Ending Retained Earnings	<u>362,200</u>
	<b>Total Appropriations</b>	<b>\$5,435,200</b>

**Airport Fund**

<i>Estimated Revenue:</i>	Operating Revenue	<u>\$616,200</u>
	<b>Total Revenue</b>	<b>\$616,200</b>
<i>Appropriations:</i>	Airport Operations	<u>\$616,200</u>
	<b>Total Appropriations</b>	<b>\$616,200</b>

**Utilities Fund**

<i>Estimated Revenue:</i>	Service Charges	\$44,461,000
	Capital Cost Recovery Charges	11,551,000
	Hydrant/Fire Protection	<u>1,214,500</u>
	Transfer from General Fund	
	Used from Water/Wastewater Improvement Replacement Fund	
	Other Revenue	7,779,100
	Anticipated Future Revenue	<u>17,947,600</u>
	<b>Total Revenue</b>	<b>\$82,953,200</b>
<i>Appropriations:</i>	Operations	\$37,957,300
	Debt Service	7,891,400
	Transfer to County Capital Projects	70,000
	Transfer to Capital Projects	35,820,000
	Payment in Lieu of Taxes	1,214,500
	Transfer to Water Improvement Replacement Fund	<u>0</u>
	<b>Total Appropriations</b>	<b>\$82,953,200</b>

**Utilities Capital Project Funds**

<i>Estimated Revenue:</i>	Transfer from Water/Wastewater Operating Fund	\$17,872,400
	Anticipated Future Revenues	<u>17,947,600</u>

<b>Total Revenue</b>	<b>\$35,820,000</b>
<i>Appropriations: Capital Projects</i>	<u><i>\$35,820,000</i></u>
<b>Total Appropriations</b>	<b>\$35,820,000</b>

Sec. 2 Appropriations in addition to those contained in the general appropriation resolution may be made by the Board only if there is available in the fund an unencumbered and unappropriated sum sufficient to meet such appropriations.

Sec. 3 The County Administrator may, as provided herein, except as set forth in Sections 7, 12, 13, 15, 16, 17 and 19, authorize the transfer of any unencumbered balance or portion thereof from one classification of expenditure to another within the same department or appropriation category. The County Administrator may transfer up to \$20,000 from the unencumbered appropriated balance of one appropriation category to another appropriation category. No more than one transfer may be made for the same item causing the need for a transfer, unless the total amount to be transferred for the item does not exceed \$20,000.

Sec. 4 The County Administrator may increase appropriations for the following non-budgeted revenue items that may occur during the fiscal year:

- a) Insurance recoveries received for damage to any county property, including vehicles, for which county funds have been expended to make repairs.
- b) Refunds or reimbursements made to the county for which the county has expended funds directly related to that refund or reimbursement.
- c) Revenue not to exceed \$20,000.

Sec. 5 All outstanding encumbrances, both operating and capital, in all county funds up to \$10 million, at June 30, 2004 shall be an amendment to the adopted budget and shall be reappropriated to the 2004-2005 fiscal year to the same department and account for which they were encumbered in the previous year. At the close of the fiscal year, all unencumbered appropriations lapse for budget items other than: capital projects; general fund transfers for capital projects and grants; District Improvement Funds; construction reserve for capital projects; reserves; refunds for off-site and oversized water and wastewater facilities; grants, including federal and state, other revenue, and program income; cash proffers, Economic Development incentive funds, actual transient occupancy tax revenues received and budgeted expenditures in connection with the Richmond Convention Center; Public Safety Career Development Reserve; donations restricted to specific purposes, including donations made by citizens and citizen groups in support of county programs; and all monies reserved for the county and school reserves for future capital projects.

Sec. 6 Appropriations designated for capital projects will not lapse at the end of the fiscal year but shall remain appropriations until the completion of the project or until the Board of Supervisors, by appropriate ordinance or resolution, changes or eliminates the appropriation. The County Administrator may approve necessary accounting transfers between funds to enable the capital projects to be accounted for correctly. Upon completion of a capital project, staff is authorized to close out the project and transfer any remaining balances to the funding source. This section applies to all existing appropriations for capital projects at June 30, 2004 and appropriations in the 2004-2005 budget. The County Administrator may approve construction contract change orders up to an increase of \$49,999 and approve all change orders for reductions to contracts. The Board of Supervisors must approve all change orders of \$50,000 or more or when the aggregate of all changes to a contract exceeds 10% of the original contract amount (or 20% if the contract is for less than \$500,000).

Sec. 7 The County Administrator may authorize the transfer of Utilities capital projects funds that are 20% or up to \$100,000 of the original project cost, whichever is less, from any Utilities capital project to any other Utilities capital project. Should the actual contract price for a project be less than the appropriation, the County Administrator may approve transfer of excess funds to the funding source upon completion of the project.



- Sec. 8 The approval by the Board of Supervisors to request and accept any grant of funds to the county constitutes the appropriation of both the revenue to be received from the grant and the county's expenditure required by the terms of the grant, if any. The appropriation of grant funds will not lapse at the end of the fiscal year, but shall remain appropriated until completion of the grant or until the Board of Supervisors changes or eliminates the appropriation. The County Administrator may reduce any grant appropriation to the level approved by the granting agency during the fiscal year. The County Administrator may approve necessary accounting transfers between funds to enable the grant to be accounted for correctly. All transfers to grant funds from operating funds are automatically carried over and reappropriated, unless the grant is completed and is to be closed out at June 30. Upon completion of a grant project, County Administrator is authorized to close the grant and transfer back to the funding source any remaining balances. The County Administrator is authorized to reprogram Community Development Block Grant funds by closing program cost centers and transferring funding to newly approved programs based on adoption by the Board of Supervisors. This applies to appropriations for grants outstanding at June 30, 2004 and appropriations in the 2004-2005 budget.
- Sec. 9 The County Administrator may reduce revenue and expenditure appropriations related to programs funded all or in part by the Commonwealth of Virginia and/or the federal government to the level approved by the responsible state or federal agency. The County Administrator may adjust items among appropriation categories in order to address state/federal reductions.
- Sec. 10 The Director of Accounting is authorized to make transfers to various funds for which there are transfers budgeted. The Director shall transfer funds only as needed up to amounts budgeted, or in accordance with any existing bond resolutions that specify the manner in which transfers are to be made.
- Sec. 11 The Treasurer may advance monies to and from the various funds of the county to allow maximum cash flow efficiency. The advances must not violate county bond covenants or other legal restrictions that would prohibit such an advance. In addition, the Treasurer may advance cash in support of employee benefit accounts.
- Sec. 12 The County Administrator is authorized to make expenditures from Trust & Agency Funds for the specified reasons for which the funds were established. In no case shall the expenditure exceed the available balance in the fund.
- Sec. 13 The County Administrator is authorized to transfer among appropriation categories and/or appropriate funds in excess of \$20,000 for supplemental retirement, Worker's Compensation, healthcare for retirees, costs related to other compensation issues, and/or any amount of Insurance Reserve funds consistent with the county's Risk Management program to departments, as needed.
- Sec. 14 The portion of the reserve for capital projects related to the school budget will be designated for school projects in the general fund.
- Sec. 15 The County Administrator may appropriate revenues and increase expenditures in excess of \$20,000 for funds received by the county from asset forfeitures for operating expenditures directly related to drug enforcement. This applies to funds currently on-hand at June 30, 2004, and all funds received in the 2004-2005 budget year. The outstanding balance of these funds at June 30, 2004 or June 30, 2005 shall not lapse but be carried forward into the next fiscal year.
- Sec. 16 The County Administrator may increase the general fund appropriation in the School Operating Fund, contingent upon availability of funds and taking into consideration any other expenditures which may have occurred, based on the following schedule:
- a) Increase general fund transfer/appropriation on December 15 by \$1,500,000.
  - b) Increase general fund transfer/appropriation on February 15 by \$1,500,000.
  - c) Increase general fund transfer/appropriation on April 15 by \$1,500,000.

Sec. 17 The County Administrator is authorized to reallocate funding sources for capital projects, arbitrage rebates/penalties, and debt service payments and to appropriate bond interest earnings to minimize arbitrage rebates/penalties. This authority would include the appropriation of transfers among funds to accomplish such reallocations. Budgets for specific capital projects will not be increased beyond the level authorized by Sections 3 and 4. This applies to funds currently on-hand in FY2004, and all funds received in the 2004-2005 budget year.

Sec. 18 Salaries for Planning Commissioners will be increased equivalent to the increase given to all county employees.

Sec. 19 Effective upon adoption of this resolution, the County Administrator is authorized to approve transfers among funds and capital projects as long as total net appropriation is not increased.

Sec. 20 Beginning with the FY97 budget and effective upon adoption of this resolution, the Utilities Department rate stabilization reserve shall be created and maintained as per guidelines outlined below:

- a) The minimum annual contribution to the reserve will be 50% of the previous year's depreciation on fixed assets.
- b) The annual contribution to the reserve will continue until 100% of accumulated depreciation on the fixed assets is funded. If at the beginning of a fiscal year a reserve balance exceeds 100% of accumulated depreciation, a reduction in the annual contribution may be considered.
- c) Funds cannot be used from the rate stabilization reserve if the balance falls below 25% of that utility's fixed asset accumulated depreciation.
- d) The declaration of a financial emergency by the Director of Utilities and a corresponding four-fifths vote by the Board of Supervisors at a publicly advertised meeting declaring the existence of such an emergency is required to suspend Sec. 20 a, Sec. 20 b, and Sec. 20 c.

Sec. 21 Upon adoption of this resolution, the School Board and/or the School Superintendent may make expenditure changes within the school appropriations as follows:

- a) Transfers of \$20,000 or less are subject to the approval of the Superintendent.
- b) Transfers of \$20,001 to \$499,999 require the approval of the Superintendent and the School Board.
- c) Transfers of \$500,000 or more require the approval of the Superintendent, the School Board, and the Board of Supervisors.

The School Board and/or the School Superintendent shall prepare a budget status report reflecting changes to the approved school budget between appropriation categories, as amended, and the report shall be presented to the County Administrator quarterly.

Sec. 22 The County Administrator is authorized to reclassify budgeted revenues, as appropriate, to reflect implementation of the state's Personal Property Tax Relief Act. This applies to funds currently on-hand in FY2004, and all funds received in the 2004-2005 budget year.

Sec. 23 The County Administrator is authorized to reduce the current year departmental budget appropriation by the same dollar amount of the prior year overspending inclusive of encumbrances carried forward.

And, further, the Board adopted the following resolution:

A RESOLUTION TO APPROVE DESIGNATED FUNDS AND ACCOUNTS FROM DESIGNATED ESTIMATED REVENUES FOR FY2006 FOR FISCAL PLANNING PURPOSES FOR THE OPERATING BUDGET AND THE CAPITAL IMPROVEMENTS PROGRAM FOR THE COUNTY OF CHESTERFIELD, VIRGINIA

BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Chesterfield:

That for the fiscal year beginning on the first day of July 2005, and ending on the thirtieth day of June 2006, the following sections shall be

approved for fiscal planning purposes. Public hearings will be required prior to the actual appropriation of funds for FY2006.

Sec. 1 The following designated funds and accounts shall be appropriated from the designated estimated revenues to operate and to provide a capital improvements program for the county. It is the intent of the Board of Supervisors that general property taxes levied on January 1, 2005 and due December 5, 2005 be appropriated for FY2006.

<u>General Fund</u>		<u>FY06 Approved</u>
<i>Estimated Revenue:</i>	From Local Sources:	
	General Property Taxes	\$288,465,700
	Other Local Taxes	83,629,600
	Licenses, Permits, Fees	9,363,600
	Fines, Forfeitures and Uses of Money & Property	3,827,300
	Service Charges	25,843,500
	Miscellaneous and Recovered Costs	8,261,700
	From Other Agencies:	
	State and Federal	\$118,842,000
	Other Financing Sources:	
	Reserves	\$5,156,800
	Transfer from General Fund	126,200
	Transfer from County Capital Projects	225,000
	Transfer from Water Operating Fund	1,214,500
	Anticipated Fund Balance 7/1/04	<u>39,222,600</u>
	<b>Total Revenues</b>	<b>\$584,178,500</b>
<i>Appropriations:</i>	General Government	\$35,331,000
	Administration of Justice	6,347,700
	Public Safety	113,184,000
	Public Works	15,135,200
	Health and Welfare	46,663,400
	Parks, Rec., Cultural	17,440,500
	Community Development	12,137,800
	Debt Service	16,447,600
	Operating Transfers	277,439,500
	Reserves	3,615,100
	Ending Fund Balance, 6/30/2004*	<u>40,436,700</u>
	<b>Total General Fund:</b>	<b>\$584,178,500</b>

\*This includes encumbrances carried forward in all funds not to exceed \$10 million. (See "Section 5")

#### Comprehensive Services Fund

<i>Estimated Revenue:</i>	Reimbursement, Colonial Heights	\$200,600
	State Aid, Comprehensive Services	5,345,900
	State, Miscellaneous	120,000
	Transfer from Social Services	445,200
	Transfer from Schools	1,187,200
	Transfer from General Fund	<u>1,759,600</u>
	<b>Total Revenue</b>	<b>\$9,058,500</b>
<i>Appropriations:</i>	Operating Expenses	<u>\$9,058,500</u>
	<b>Total Appropriations</b>	<b>\$9,058,500</b>

#### School Operating Fund

<i>Estimated Revenue:</i>	Local Sources	\$14,816,500
	State	174,473,200
	Federal	21,444,500
	Transfer from School CIP	0
	Use of Reserve	529,000
	Transfer from School Operating	604,400
	Transfer from School Food Service	575,000
	Transfer from General Fund:	
	State Sales Tax	39,247,300
	Local Taxes	209,708,400
	Prior Year Revenue	0

	Grounds Maintenance	<u>1,586,200</u>
	<b>Total General Fund</b>	<b>\$250,541,900</b>
	Beginning Balance	<u>1,000,000</u>
	<b>Total Revenues, Transfers &amp; Reserves</b>	<b>\$463,984,500</b>
<i>Appropriations:</i>	Instruction	\$324,850,137
	Administration / Attendance & Health	16,540,364
	Pupil Transportation	18,720,769
	Operations & Maintenance	46,714,830
	Debt Service	41,220,200
	Food Service	14,352,000
	Grounds Maintenance	<u>1,586,200</u>
	<b>Total Appropriations</b>	<b>\$463,984,500</b>
<b><u>School Capital Projects Fund</u></b>		
<i>Estimated Revenue:</i>	Bond Proceeds	\$50,390,000
	Interest Earnings	0
	Proffered Funds	3,125,800
	Reimbursement for Services	491,000
	Use of reserve	<u>0</u>
	<b>Total Revenue School Capital Projects Fund</b>	<b>\$54,006,800</b>
<i>Appropriations:</i>	Transfer to School Operating Fund	\$0
	School Projects	53,515,800
	CIP Management	<u>491,000</u>
	<b>Total Appropriations School Capital Projects Fund</b>	<b>\$54,006,800</b>
<b><u>Schools - Appomattox Regional Governor's School Fund</u></b>		
<i>Estimated Revenue:</i>	Local Sources	\$2,186,196
	State	805,404
	Federal	500,000
	Use of Reserves	0
	Transfer from Operating	<u>10,400</u>
	<b>Total Revenues</b>	<b>\$3,502,000</b>
	Beginning Fund Balance	<u>\$50,000</u>
	<b>Total Revenues, Transfers and Reserves</b>	<b>\$3,552,000</b>
<i>Appropriations:</i>	Education	\$3,541,600
	Transfer to Grants	\$10,400
	<b>Total Appropriations</b>	<b>\$3,552,000</b>
<b><u>County Grants Fund:</u></b>		
<i>Estimated Revenue:</i>	From Other Governments	\$6,601,000
	From the General Fund	<u>1,773,700</u>
	<b>Total Revenue</b>	<b>\$8,374,700</b>
<i>Appropriations:</i>	Commonwealth Attorney - Drug Court	\$278,000
	Community Corrections Services	
	Domestic Violence Resource Center	80,600
	Options	63,500
	Pretrial	397,700
	Post Trial	1,576,500
	Targeted Capacity Expansion Grant	0
	Community Development Block Grant	2,006,500
	Community Services Board Part C Grant	433,000
	Domestic Violence Prosecutor	83,100
	Domestic Violence Victim Advocate (V-STOP)	38,400
	Families First	373,700
	Federal Day Care Grant	30,000
	Litter Grant	46,000
	Police - Domestic Violence Coordinator	46,600
	Police - School Resource Officers	0
	Police - COPS/Universal Hiring Practices Grant	966,000

Project Exile Grant (Commonwealth's Attorney)	123,300
Terrorism Coordinator Grant	59,100
USDA Juvenile Detention Grant	40,000
Victim/Witness Assistance	387,000
VJCCCA	<u>1,345,700</u>
<b>Total Appropriations</b>	<b>\$8,374,700</b>

#### **County CIP Fund**

<i>Estimated Revenue:</i> Lease/Purchase Proceeds	\$428,000
Interest Earnings	0
General Obligation Bonds	4,958,500
Transfer from General Fund	9,510,200
Transfer from Utilities	0
Transfer from Cash Proffers	1,124,000
State Grants/Reimbursements	<u>425,000</u>
<b>Total Revenue</b>	<b>\$16,445,700</b>

<i>Appropriations:</i> County Capital Projects	\$16,445,700
Transfer to the General Fund	<u>0</u>
<b>Total County CIP Funds</b>	<b>\$16,445,700</b>

#### **County Maintenance Projects Fund**

<i>Estimated Revenue:</i> Transfer from General fund	<u>\$1,750,000</u>
<b>Total Revenue</b>	<b>\$1,750,000</b>

<i>Appropriations:</i> County Maintenance Projects	<u>\$1,750,000</u>
<b>Total County Maintenance Projects</b>	<b>\$1,750,000</b>

#### **Cash Proffer Fund**

<i>Estimated Revenue:</i> Cash Proffers	<u>\$1,299,000</u>
<b>Total Revenues</b>	<b>\$1,299,000</b>

<i>Appropriations:</i> Reimbursement	\$175,000
Transfer to County Capital Projects Fund	<u>1,124,000</u>
<b>Total Appropriations</b>	<b>\$1,299,000</b>

#### **Vehicle and Communications Maintenance**

<i>Estimated Revenue:</i> Fleet Management Charges	\$10,042,500
Radio Shop Charges	<u>1,822,300</u>
<b>Total Revenue</b>	<b>\$11,864,800</b>

<i>Appropriations:</i> Fleet Management Charges	\$10,042,500
Radio Shop Charges	<u>1,822,300</u>
<b>Total Appropriations</b>	<b>\$11,864,800</b>

#### **Construction Management Fund**

<i>Estimated Revenue:</i> Reimbursement for Services	<u>\$561,900</u>
<b>Total Revenue</b>	<b>\$561,900</b>

<i>Appropriations:</i> Construction Management Operations	<u>\$561,900</u>
<b>Total Appropriations</b>	<b>\$561,900</b>

#### **Risk Management Fund**

<i>Estimated Revenue:</i> Operating Revenues	\$5,463,600
Interest Earnings	0
Beginning Retained Earnings	<u>362,200</u>
<b>Total Revenue</b>	<b>\$5,825,800</b>

<i>Appropriations:</i> Risk Management Operations	\$5,463,600
Ending Retained Earnings	<u>362,200</u>
<b>Total Appropriations</b>	<b>\$5,825,800</b>

### Airport Fund

<i>Estimated Revenue:</i>	Operating Revenue	<u>\$650,400</u>
	<b>Total Revenue</b>	<b>\$650,400</b>
 <i>Appropriations:</i>	Airport Operations	<u>\$650,400</u>
	<b>Total Appropriations</b>	<b>\$650,400</b>

### Utilities Fund

<i>Estimated Revenue:</i>	Service Charges	\$45,392,000
	Capital Cost Recovery Charges	11,551,000
	Hydrant/Fire Protection	1,214,500
	Transfer from General Fund	
	Used from Water/Wastewater Improvement Replacement Fund	
	Other Revenue	7,515,100
	Anticipated Future Revenue	<u>14,717,900</u>
	<b>Total Revenue</b>	<b>\$80,390,500</b>
 <i>Appropriations:</i>	Operations	\$39,108,700
	Debt Service	7,900,300
	Transfer to County Capital Projects	0
	Transfer to Capital Projects	32,167,000
	Payment in Lieu of Taxes	1,214,500
	Transfer to Water Improvement Replacement Fund	<u>0</u>
	<b>Total Appropriations</b>	<b>\$80,390,500</b>

### Utilities Capital Project Funds

<i>Estimated Revenue:</i>	Transfer from Water/Wastewater Operating Fund	\$17,449,100
	Anticipated Future Revenues	<u>14,717,900</u>
	<b>Total Revenue</b>	<b>\$32,167,000</b>
 <i>Appropriations:</i>	Capital Projects	<u>\$32,167,000</u>
	<b>Total Appropriations</b>	<b>\$32,167,000</b>

Sec. 2 Appropriations in addition to those contained in the general appropriation resolution may be made by the Board only if there is available in the fund an unencumbered and unappropriated sum sufficient to meet such appropriations.

Sec. 3 The County Administrator may, as provided herein, except as set forth in Sections 7, 12, 13, 15, 16, 17 and 19, authorize the transfer of any unencumbered balance or portion thereof from one classification of expenditure to another within the same department or appropriation category. The County Administrator may transfer up to \$20,000 from the unencumbered appropriated balance of one appropriation category to another appropriation category. No more than one transfer may be made for the same item causing the need for a transfer, unless the total amount to be transferred for the item does not exceed \$20,000.

Sec. 4 The County Administrator may increase appropriations for the following non-budgeted revenue items that may occur during the fiscal year:

- a) Insurance recoveries received for damage to any county property, including vehicles, for which County funds have been expended to make repairs.
- b) Refunds or reimbursements made to the county for which the county has expended funds directly related to that refund or reimbursement.
- c) Revenue not to exceed \$20,000.

Sec. 5 All outstanding encumbrances, both operating and capital, in all county funds up to \$10 million, at June 30, 2005 shall be an amendment to the adopted budget and shall be reappropriated to the 2005-2006 fiscal year to the same department and account for which they were encumbered in the previous year. At the close of the fiscal year, all unencumbered appropriations lapse for budget items other than: capital projects; general fund transfers for capital projects and grants; District Improvement Funds; construction reserve for capital projects; reserves; refunds for

off-site and oversized water and wastewater facilities; grants, including federal and state, other revenue, and program income; cash proffers; Economic Development incentive funds; actual transient occupancy tax revenues received and budgeted expenditures in connection with the Richmond Convention Center; Public Safety Career Development Reserve; donations restricted to specific purposes, including donations made by citizens and citizen groups in support of county programs; and all monies reserved for the county and school reserves for future capital projects.

Sec. 6 Appropriations designated for capital projects will not lapse at the end of the fiscal year but shall remain appropriations until the completion of the project or until the Board of Supervisors, by appropriate ordinance or resolution, changes or eliminates the appropriation. The County Administrator may approve necessary accounting transfers between funds to enable the capital projects to be accounted for correctly. Upon completion of a capital project, staff is authorized to close out the project and transfer any remaining balances to the funding source. This section applies to all existing appropriations for capital projects at June 30, 2005 and appropriations in the 2005-2006 budget. The County Administrator may approve construction contract change orders up to an increase of \$49,999 and approve all change orders for reductions to contracts. The Board of Supervisors must approve all change orders of \$50,000 or more or when the aggregate of all changes to a contract exceeds 10% of the original contract amount (or 20% if the contract is for less than \$500,000).

Sec. 7 The County Administrator may authorize the transfer of Utilities capital projects funds that are 20% or up to \$100,000 of the original project cost, whichever is less, from any Utilities capital project to any other Utilities capital project. Should the actual contract price for a project be less than the appropriation, the County Administrator may approve transfer of excess funds to the funding source upon completion of the project.

Sec. 8 The approval by the Board of Supervisors to request and accept any grant of funds to the county constitutes the appropriation of both the revenue to be received from the grant and the county's expenditure required by the terms of the grant, if any. The appropriation of grant funds will not lapse at the end of the fiscal year, but shall remain appropriated until completion of the grant or until the Board of Supervisors changes or eliminates the appropriation. The County Administrator may reduce any grant appropriation to the level approved by the granting agency during the fiscal year. The County Administrator may approve necessary accounting transfers between funds to enable the grant to be accounted for correctly. All transfers to grant funds from operating funds are automatically carried over and reappropriated, unless the grant is completed and is to be closed out at June 30. Upon completion of a grant project, County Administrator is authorized to close the grant and transfer back to the funding source any remaining balances. The County Administrator is authorized to reprogram Community Development Block Grant funds by closing program cost centers and transferring funding to newly approved programs based on adoption by the Board of Supervisors. This applies to appropriations for grants outstanding at June 30, 2005 and appropriations in the 2005-2006 budget.

Sec. 9 The County Administrator may reduce revenue and expenditure appropriations related to programs funded all or in part by the Commonwealth of Virginia and/or the federal government to the level approved by the responsible state or federal agency. The County Administrator may adjust items among appropriation categories in order to address state/federal reductions.

Sec. 10 The Director of Accounting is authorized to make transfers to various funds for which there are transfers budgeted. The Director shall transfer funds only as needed up to amounts budgeted, or in accordance with any existing bond resolutions that specify the manner in which transfers are to be made.

Sec. 11 The Treasurer may advance monies to and from the various funds of the county to allow maximum cash flow efficiency. The advances must not violate county bond covenants or other legal restrictions that would prohibit such an advance. In addition, the Treasurer may advance cash in support of employee benefit accounts.

Sec. 12 The County Administrator is authorized to make expenditures from Trust & Agency Funds for the specified reasons for which the

funds were established. In no case shall the expenditure exceed the available balance in the fund.

Sec. 13 The County Administrator is authorized to transfer among appropriation categories and/or appropriate funds in excess of \$20,000 for supplemental retirement, Worker's Compensation, healthcare for retirees, costs related to other compensation issues, and/or any amount of insurance reserve funds consistent with the county's Risk Management program to departments, as needed.

Sec. 14 The portion of the reserve for capital projects related to the school budget will be designated for school projects in the general fund.

Sec. 15 The County Administrator may appropriate revenues and increase expenditures in excess of \$20,000 for funds received by the county from asset forfeitures for operating expenditures directly related to drug enforcement. This applies to funds currently on-hand at June 30, 2005, and all funds received in the 2005-2006 budget year. The outstanding balance of these funds at June 30, 2005 or June 30, 2006 shall not lapse but be carried forward into the next fiscal year.

Sec. 16 The County Administrator may increase the general fund appropriation in the School Operating Fund, contingent upon availability of funds and taking into consideration any other expenditures which may have occurred, based on the following schedule:

- a) Increase general fund transfer/appropriation on December 15 by \$1,500,000.
- b) Increase general fund transfer/appropriation on February 15 by \$1,500,000.
- c) Increase general fund transfer/appropriation on April 15 by \$1,500,000.

Sec. 17 The County Administrator is authorized to reallocate funding sources for capital projects, arbitrage rebates/penalties, and debt service payments and to appropriate bond interest earnings to minimize arbitrage rebates/penalties. This authority would include the appropriation of transfers among funds to accomplish such reallocations. Budgets for specific capital projects will not be increased beyond the level authorized by Sections 3 and 4. This applies to funds currently on-hand in FY2005, and all funds received in the 2005-2006 budget year.

Sec. 18 Salaries for Planning Commissioners will be increased equivalent to the increase given to all county employees.

Sec. 19 Effective upon adoption of this resolution, the County Administrator is authorized to approve transfers among funds and capital projects as long as total net appropriation is not increased.

Sec. 20 Beginning with the FY97 budget and effective upon adoption of this resolution, the Utilities Department rate stabilization reserve shall be created and maintained as per guidelines outlined below:

- a) The minimum annual contribution to the reserve will be 50% of the previous year's depreciation on fixed assets.
- b) The annual contribution to the reserve will continue until 100% of accumulated depreciation on the fixed assets is funded. If at the beginning of a fiscal year a reserve balance exceeds 100% of accumulated depreciation, a reduction in the annual contribution may be considered.
- c) Funds cannot be used from the rate stabilization reserve if the balance falls below 25% of that utility's fixed asset accumulated depreciation.
- e) The declaration of a financial emergency by the Director of Utilities and a corresponding four-fifths vote by the Board of Supervisors at a publicly advertised meeting declaring the existence of such an emergency is required to suspend Sec. 20 a, Sec. 20 b, and Sec. 20 c..

Sec. 21 Upon adoption of this resolution, the School Board and/or the School Superintendent may make expenditure changes within the school appropriations as follows:



- a) Transfers of \$20,000 or less are subject to the approval of the Superintendent.
- b) Transfers of \$20,001 to \$499,999 require the approval of the Superintendent and the School Board.
- c) Transfers of \$500,000 or more require the approval of the Superintendent, the School Board, and the Board of Supervisors.

The School Board and/or the School Superintendent shall prepare a budget status report reflecting changes to the approved school budget between appropriation categories, as amended, and the report shall be presented to the County Administrator quarterly.

Sec. 22 The County Administrator is authorized to reclassify budgeted revenues, as appropriate, to reflect implementation of the state's Personal Property Tax Relief Act. This applies to funds currently on-hand in FY2005, and all funds received in the 2005-2006 budget year.

Sec. 23 The County Administrator is authorized to reduce the current year departmental budget appropriation by the same dollar amount of the prior year overspending inclusive of encumbrances carried forward.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

## **8.B. CONSENT ITEMS**

On motion of Mr. Barber, seconded by Mrs. Humphrey, the Board removed Item 8.B.12.c., Transfer of District Improvement Funds from the Matoaca District Improvement Fund to the Chesterfield County Historical Society to purchase Chesterfield County Early Architecture and Historic Sites Book by Jeffrey M. O'Dell, Chesterfield an Old Virginia County 1607-1954 by Francis Earl Lutz, and Chesterfield an Old Virginia County 1955-1989, Vol. II by Dorothy Fuller Silvers for Each of the Eleven High Schools Within the County.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

## **8.B.1. ADOPTION OF RESOLUTIONS**

### **8.B.1.a. RECOGNIZING APRIL 11-17, 2004, AS "NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK"**

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, emergencies can occur at anytime that require police, fire or emergency medical services; and

WHEREAS, when an emergency occurs the prompt response of police officers, firefighters and emergency medical personnel is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers, firefighters and emergency medical personnel is dependant upon the quality and accuracy of information obtained from citizens who telephone the Chesterfield Emergency Communications Center; and

WHEREAS, Emergency Communications Officers are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Chesterfield County citizens depend on the skill, expertise, and commitment of these communications professionals; and

WHEREAS, Emergency Communications Officers are the single vital link for our police officers, firefighters and emergency medical personnel by monitoring their activities by radio, providing them information and insuring their safety; and

WHEREAS, Emergency Communications Officers of the Chesterfield Emergency Communications Center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS, each Emergency Communications Officer has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 14<sup>th</sup> day of April 2004, publicly declares the week of April 11-17, 2004, as "National Public Safety Telecommunications Week" in Chesterfield County, in honor of the men and women whose diligence and professionalism keep our county and citizens safe.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.1.b. RECOGNIZING MS. GLORIA WELLS, CHESTERFIELD/COLONIAL HEIGHTS DEPARTMENT OF SOCIAL SERVICES, UPON HER RETIREMENT**

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, Ms. Gloria Wells began her public service with Chesterfield County as a receptionist/typist/switchboard operator in the Department of Social Services on December 1, 1980; and

WHEREAS, in 1985, Ms. Wells was one of two employees of the department to be trained by the Virginia Department of Social Services for a pilot program for Food Stamp Program data entry and Aid to Families with Dependent Children Program data entry; and

WHEREAS, Ms. Wells was responsible for all data entry for the Medicaid Program when it was initially automated; and

WHEREAS, Ms. Wells was responsible for data entry in the Social Services Information System when it was first developed; and

WHEREAS, Ms. Wells became a Social Work Aide for the Division of Benefit Programs in February 1996; and

WHEREAS, Ms. Wells has taken several Total Quality Improvement classes through Chesterfield University; and

WHEREAS, Ms. Wells has served on several Goal Groups to work on the department's strategic plan; and

WHEREAS, throughout her career at the Department of Social Services, Ms. Wells has served the most vulnerable citizens of Chesterfield County and the City of Colonial Heights; and

WHEREAS, Ms. Wells has been a dedicated and loyal advocate for the citizens of Chesterfield County and the City of Colonial Heights.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors recognizes the outstanding contributions of Ms. Gloria Wells, expresses the appreciation of all residents for her service to the county and congratulations upon her retirement, as well as best wishes for a long and happy retirement.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.1.c. AMENDING AN AUTHORIZING RESOLUTION ADOPTED BY THE BOARD OF SUPERVISORS ON MARCH 10, 2004 RELATED TO THE ISSUANCE AND SALE OF CERTIFICATES OF PARTICIPATION, SERIES 2004A AND SERIES 2004B RELATED TO FINANCING FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS**

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following resolution:

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF CHESTERFIELD, VIRGINIA, AMENDING A RESOLUTION ADOPTED ON MARCH 10, 2004, IN CONNECTION WITH THE AUTHORIZATION, ISSUANCE, SALE AND DELIVERY OF CERTIFICATES OF PARTICIPATION, SERIES 2004A, AND CERTIFICATES OF PARTICIPATION, SERIES 2004B

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF CHESTERFIELD, VIRGINIA:

SECTION 1. Findings and Determinations. The Board of Supervisors (the "Board of Supervisors") of the County of Chesterfield, Virginia, hereby finds and determines as follows:

(a) On March 10, 2004, the Board of Supervisors adopted a resolution (the "Authorizing Resolution"), in connection with the authorization, issuance, sale and delivery of \$14,900,000 principal amount of Certificates of Participation, Series 2004A, dated March 1, 2004 (the "2004A Certificates"), and \$6,940,000 principal amount of Certificates of Participation, Series 2004B, dated March 1, 2004 (the "2004B Certificates" and, collectively with the 2004A Certificates, the "Certificates").

(b) In connection with the sale of the Certificates, it has been determined that the principal amount of the 2004A Certificates should be increased to \$14,980,000 and the principal amount of the 2004B

Certificates should be increased to \$6,990,000 and that the Certificates should be dated and accrue interest from April 15, 2004.

SECTION 2. Amendment of Authorizing Resolution. The Authorizing Resolution adopted by the Board of Supervisors on March 10, 2004 is hereby amended such that (a) all references therein to the principal amount of the 2004A Certificates are hereby amended to refer to such principal amount as being \$14,980,000, (b) all references to the principal amount of the 2004B Certificates are hereby amended to refer to such principal amount as being \$6,990,000 and (c) all references to the date of the Certificates and the date from which the Certificates shall accrue interest are hereby amended to refer to April 15, 2004 as the date of the Certificates and the date from which the Certificates shall accrue interest.

SECTION 3. Effectiveness of Resolution. This resolution shall be effective from and after its adoption.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.1.d. RECOGNIZING VIRGINIA STATE SENATOR JOHN C. WATKINS  
UPON RECEIPT OF THE CHESTERFIELD BUSINESS COUNCIL'S  
BERNARD L. SAVAGE AWARD FOR 2004**

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, The Honorable John C. Watkins currently serves the Commonwealth of Virginia as a state senator; and

WHEREAS, in addition to holding his current office, Senator Watkins served from 1982-1998 in the Virginia House of Delegates and is also a well-known and successful businessman; and

WHEREAS, Senator Watkins has been active in a myriad of civic organizations, including the Greater Richmond Chamber Foundation; the Midlothian Rotary Club; the Chesterfield Business Council; American Legion Post 186; the Chesterfield Historical Society; the Midlothian Friends of the Library; the Children At Risk Advisory Board and the Virginia Mathematics and Science Coalition, where he has served as president and as a member of the Board of Directors; and

WHEREAS, in his business endeavors as president of Watkins Nurseries, Inc.; as Chairman of the Board of the Bank of Powhatan; member, Board of Directors of Chippenham/Johnston-Willis Medical Center; and member, Board of Directors of TransCommunity Bankshares, Senator Watkins also has served the needs and interests of the residents of Chesterfield County and the region; and

WHEREAS, Senator Watkins also proudly served his country in the United States Army from 1969-1971; and

WHEREAS, Senator Watkins has previously been honored by many diverse organizations and with an array of awards, including the W. Thomas Rice Rail Renaissance Award; the Virginia Society of American Institute of Architects; the

Northern Virginia Technology Council; the Virginia Tech German Club Alumni Foundation; the Virginia Chapter, ASLA Allied Professional Award; the Community Service Award, American Legion Post 186; Distinguished Friend of Agriculture, Virginia Agribusiness Council; Distinguished Service to Agriculture, Virginia Farm Bureau; Paul Harris Fellow, Rotary International; Midlothian Rotary President's Award; Gamma Sigma Delta, Honor Society of Agriculture; Virginia Nurseryman's Association Nurseryman of the Year, 1987; Outstanding Young Nurseryman of the South, 1978; Virginia Tech Agricultural Alumni Association Distinguished Service Citation; National Honorary Extension Fraternity Epsilon Sigma Phi Friend of Extension Award; Chesterfield Jaycees Outstanding Young Man of the Year, 1982; and Virginia Jaycees Life Member; and

WHEREAS, Senator Watkins has been named as this year's Chesterfield Business Council recipient of the Bernard L. Savage Award, named for a long-time Chesterfield County real estate business owner who helped Chesterfield County transition from a mostly rural county to the major metropolitan locality it is today; and

WHEREAS, Senator Watkins' long and continuous exemplary service to others, recognized by the Chesterfield Business Council and so many others, deserves recognition by this Board of Supervisors of Chesterfield County.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors extends its congratulations to Senator John C. Watkins on being named the Chesterfield Business Council's Savage Award winner for 2004, thanks him for his long and distinguished career in public service and in the business community, and wishes him continued success in all his endeavors.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.1.e. RECOGNIZING THE NATIONAL ORGANIZATION OF BLACK LAW ENFORCEMENT EXECUTIVES, CENTRAL VIRGINIA CHAPTER**

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, the mission of the National Organization of Black Law Enforcement Executives (NOBLE) is "to ensure equity in the administration of justice in the provision of public service to all communities, and to serve as the conscience of law enforcement by being committed to justice by action"; and

WHEREAS, NOBLE, a not-for-profit organization, has approximately 4,300 members nationwide representing many criminal justice agencies, including local and state police departments, sheriff's offices, university police departments, the U.S. Postal Inspection Service, Federal Bureau of Investigations and the U.S. Marshals Service; and

WHEREAS, the NOBLE Central Virginia Chapter formed in 1994 and has achieved numerous accomplishments through training, workshops and community initiatives aimed at reducing crime; and

WHEREAS, the members of the Central Virginia Chapter are active in Brunswick, Chesterfield, Fluvanna, Henrico and

Louisa counties, as well as in Charlottesville, Petersburg and Richmond; and

WHEREAS, the Central Virginia Chapter is holding its Annual Awards and Scholarship Banquet on Saturday, April 24, 2004; and

WHEREAS, this year's banquet theme is "Building Partnerships to Make a Difference"; and

WHEREAS, the Central Virginia Chapter will present to individuals, during its annual banquet, several awards in recognition of achievement and outstanding service in further promoting the mission and goals of the chapter; and

WHEREAS, NOBLE also will award scholarships to deserving high school students in Central Virginia, further demonstrating its commitment to the communities of the region.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors extends appreciation to the National Organization of Black Law Enforcement Executives, Central Virginia Chapter, for its ongoing work and commitment to the betterment of the region through programs and initiatives that reduce crime, enrich lives and promote strong communities.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.1.f. RECOGNIZING APRIL 18 - 24, 2004, AS "VOLUNTEER APPRECIATION WEEK" IN CHESTERFIELD COUNTY**

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, volunteers contribute significantly to the quality of life in Chesterfield County, in the Commonwealth, and in the nation; and

WHEREAS, volunteering is recognized as an integral part of the government and industry in contributing to the achievements that enhance our nation; and

WHEREAS, volunteers provide the human resources for programs that strengthen our community and add to the quality of life in Chesterfield; and

WHEREAS, volunteers enrich our cultural diversity with their backgrounds, experiences and talents; and

WHEREAS, volunteers bring energy and wisdom together by bridging the gap between younger and older generations; and

WHEREAS, volunteers enable us to meet and often exceed the strategic goals of the organization, thereby increasing the quality of service provided to citizens.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 14<sup>th</sup> day of April 2004, recognizes the week of April 18-24, 2004, as "Volunteer Appreciation Week" in Chesterfield County and urges all citizens to honor volunteers for their contributions to the county.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.2. REQUESTS FOR PERMITS TO STAGE FIREWORKS DISPLAYS**

**8.B.2.a. AT THE WOODLAKE PAVILION/AMPHITHEATER ON MAY 29, 2004 WITH A RAIN DATE OF MAY 31, 2004**

On motion of Mr. Warren, seconded by Mr. King, the Board approved a request for a permit to stage a fireworks display at the Woodlake Pavilion/Amphitheater on May 29, 2004 with a rain date of May 31, 2004.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.2.b. AT THE SUNDAY PARK PENINSULA OF BRANDERMILL ON JULY 4, 2004**

On motion of Mr. Warren, seconded by Mr. King, the Board approved a request for a permit to stage a fireworks display at the Sunday Park Peninsula at Brandermill on July 4, 2004, with a rain date of July 5, 2004.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.2.c. AT 70 BELLONA ARSENAL, MIDLOTHIAN, VIRGINIA ON JULY 4, 2004**

On motion of Mr. Warren, seconded by Mr. King, the Board approved a request for a permit to stage a fireworks display at 70 Bellona Arsenal, Midlothian, Virginia on July 4, 2004, with a rain date of July 4, 2004.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.3. AUTHORIZE THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO EXECUTE THE POLICE MUTUAL AID JOINT AVIATION AGREEMENT BETWEEN CHESTERFIELD COUNTY, HENRICO COUNTY AND THE CITY OF RICHMOND**

On motion of Mr. Warren, seconded by Mr. King, the Board authorized the County Administrator or his designee to execute the Police Mutual Aid Joint Aviation Agreement between Chesterfield County, Henrico County and the City of Richmond, on behalf of the county. (It is noted a copy of the agreement is filed with the papers of this Board.)

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.4. ACCEPTANCE OF PARCELS OF LAND**

**8.B.4.a. FOR BRANDERS BRIDGE ROAD AND LAKEVIEW AVENUE FROM FREDERICK AND MARIANNE YAKELEWICZ**

On motion of Mr. Warren, seconded by Mr. King, the Board accepted the conveyance of parcels of land containing a total of 0.972 acres, more or less, from Frederick and Marianne

Yakelewicz, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.4.b. FOR THE EXTENSION OF OAK LAKE BOULEVARD FROM WILLIAM B. AND GENE H. DUVAL**

On motion of Mr. Warren, seconded by Mr. King, the Board accepted the conveyance of five parcels of land containing a total of 2.256 acres from William B. and Gene H. DuVal, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.4.c. ALONG THE SOUTH RIGHT OF WAY LINE OF EAST HUNDRED ROAD FROM RIVERMONT ASSOCIATES**

On motion of Mr. Warren, seconded by Mr. King, the Board accepted the conveyance of a parcel of land containing 0.137 acres, more or less, from Rivermont Associates, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.4.d. ALONG THE SOUTH RIGHT OF WAY LINE OF VILLAGE SQUARE PARKWAY FROM WOODLAKE COMMUNITY ASSOCIATION, INCORPORATED**

On motion of Mr. Warren, seconded by Mr. King, the Board accepted the conveyance of a parcel of land containing 0.025 acres along the south right of way line of Village Square Parkway (State Route 3867) from Woodlake Community Association, Incorporated, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.4.e. ALONG THE NORTH RIGHT OF WAY LINE OF HULL STREET ROAD FROM WOODLAKE COMMONS SHOPPING CENTER, LLC**

On motion of Mr. Warren, seconded by Mr. King, the Board accepted the conveyance of a parcel of land containing 0.363 acres along the north right of way line of Hull Street Road (U.S. Route 360) from Woodlake Commons Shopping Center, LLC, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.



8.B.4.f. ALONG THE SOUTH RIGHT OF WAY LINE OF EAST HUNDRED ROAD AND THE EAST RIGHT OF WAY LINE OF ENON CHURCH ROAD FROM J. CARL MORRIS

On motion of Mr. Warren, seconded by Mr. King, the Board accepted the conveyance of parcels of land containing 0.413 acres, more or less, along the south right of way line of East Hundred Road and the east right of way line of Enon Church Road from J. Carl Morris, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Barber, Humphrey, King and Warren.  
Nays: None.

8.B.5. REQUEST FOR PERMISSION FROM WILLIAM JUSTIN WILLIS FOR AN EXISTING FENCE TO ENCROACH WITHIN A SIXTEEN-FOOT DRAINAGE EASEMENT ACROSS LOT 5, ASHLEY FOREST, SECTION C

On motion of Mr. Warren, seconded by Mr. King, the Board approved a request from William Justin Willis for permission for an existing fence to encroach within a 16-foot drainage easement across Lot 5, Ashley Forest, Section C, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Barber, Humphrey, King and Warren.  
Nays: None.

8.B.6. REQUEST TO QUITCLAIM A VARIABLE WIDTH BACKWATER EASEMENT ACROSS THE PROPERTY OF WOODLAKE COMMUNITY ASSOCIATION, INCORPORATED

On motion of Mr. Warren, seconded by Mr. King, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute a quitclaim deed to vacate a variable width backwater easement across the property of Woodlake Community Association, Incorporated. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Barber, Humphrey, King and Warren.  
Nays: None.

8.B.7. APPROVAL OF UTILITY CONTRACT FOR BAYHILL POINTE SECTION 15

On motion of Mr. Warren, seconded by Mr. King, the Board approved the following utility contract for Bayhill Pointe Section 15, Contract Number 03-0257:

Developer: Bayhill Development Corporation  
Contractor: Coastal Utilities

Contract Amount:  
Estimated County Cost for Oversizing. . . \$6,630.00  
Estimated Developer Cost. . . . . \$219,243.33  
Estimated Total . . . . . \$225,873.33

Code: (Refunds thru Connections - Oversizing) 5N-572VO-E4C

District: Matoaca

(It is noted a copy of the vicinity sketch is filed with the papers of this Board.)

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.8. SET PUBLIC HEARING DATES**

**8.B.8.a. FOR APPROPRIATION OF FUNDS FOR COMPREHENSIVE SERVICES (CSA)**

On motion of Mr. Warren, seconded by Mr. King, the Board set the date of April 28, 2004 at 7:00 p.m. for a public hearing to consider the appropriation of up to \$1,752,400 for Comprehensive Services, including \$1,458,500 in state funds, \$110,350 in year end non-departmental general fund appropriations, \$86,350 in school appropriations, and \$97,200 from CSA retained earnings.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.8.b. TO CONSIDER AMENDMENTS TO THE COUNTY'S BUSINESS LICENSE TAX ORDINANCE RELATED TO FINANCIAL SERVICES BUSINESSES AND WHOLESALE MERCHANTS**

On motion of Mr. Warren, seconded by Mr. King, the Board set the date of April 28, 2004 at 7:00 p.m. for a public hearing to consider amendments to sections 6-27 and 6-33 of the County Code relating to business license tax on financial services businesses and wholesale merchants.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.9. STATE ROAD ACCEPTANCE**

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

**Type Change to the Secondary System of State Highways:**      **Addition**

**Basis for Change:**                      **Addition, New subdivision street**

**Statutory Reference:**                **§33.1-229**

**Project:**                      **Broadwater Townhomes, Phase 1**

●                      **Broadwater Lane, State Route Number: 5629**

From:                      Broadwater Wy., (Rt. 5630)

To:                      Timsberry Cr., (Rt. 5627), a distance of: 0.08 miles.

Right-of-way record was filed on 5/14/2001 with the Office Of Clerk To Circuit Court in Pb. 117; Pg. 55,  
with a width of 50 Ft.

●                      **Broadwater Way, State Route Number: 5630**

From:                      Broadwater Rd., (Rt. 3468)

To:                      Broadwater Ln., (Rt. 5629), a distance of: 0.07 miles.

Right-of-way record was filed on 5/14/2001 with the Office Of Clerk To Circuit Court in Pb. 117; Pg. 55,  
with a width of 38 Ft.

●                      **Broadwater Way, State Route Number: 5630**

From:                      Broadwater Ln., (Rt. 5629)

To:                      0.03 Mi. N of Broadwater Ln., (Rt. 5629), a distance of: 0.03 miles.

Right-of-way record was filed on 5/14/2001 with the Office Of Clerk To Circuit Court in Pb. 117; Pg. 55,  
with a width of 38 Ft.

●                      **Timsberry Circle, State Route Number: 5627**

From:                      Broadwater Rd., (Rt. 3468)

To:                      Timsberry Tr., (Rt. 5628), a distance of: 0.12 miles.

Right-of-way record was filed on 5/14/2001 with the Office Of Clerk To Circuit Court in Pb. 117; Pg. 55,  
with a width of 50 Ft.

●                      **Timsberry Circle, State Route Number: 5627**

From:                      Timsberry Tr., (Rt. 5628)

To:                      Cul-de-sac, a distance of: 0.02 miles.

Right-of-way record was filed on 5/14/2001 with the Office Of Clerk To Circuit Court in Pb. 117; Pg. 55,  
with a width of 50 Ft.

●                      **Timsberry Circle, State Route Number: 5627**

From:                      Broadwater Rd., (Rt. 3468)

To:                      Broadwater Ln., (Rt. 5629), a distance of: 0.05 miles.

Right-of-way record was filed on 5/14/2001 with the Office Of Clerk To Circuit Court in Pb. 117; Pg. 55,

with a width of 50 Ft.

●                   **Timsberry Circle, State Route Number: 5627**

From:                   Broadwater Ln., (Rt. 5629)

To:                      0.05 Mi. NW of Broadwater Ln., (Rt. 5629), a distance of: 0.05 miles.

Right-of-way record was filed on 5/14/2001 with the Office Of Clerk To Circuit Court in Pb. 117; Pg. 55,

with a width of 50 Ft.

●                   **Timsberry Terrace, State Route Number: 5628**

From:                   Broadwater Rd., (Rt. 3468)

To:                      Timsberry Cr., (Rt. 5627), a distance of: 0.08 miles.

Right-of-way record was filed on 5/14/2001 with the Office Of Clerk To Circuit Court in Pb. 117; Pg. 55,

with a width of 50 Ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

**Type Change to the Secondary System of State Highways:**           **Addition**

**Basis for Change:**                   **Addition, New subdivision street**

**Statutory Reference:**               **§33.1-229**

**Project:**                   **Wellington Farms, Section C**

●                   **Michmar Drive, State Route Number: 5679**

From:                   Chalkley Rd., (Rt. 632)

To:                       Wellington Farms Dr., (Rt. 5352), a distance of: 0.22 miles.

Right-of-way record was filed on 10/5/1999 with the Office Of Clerk To Circuit Court in Pb.107; Pg 42, with

a width of 50 Ft.

● Wellington Farms Drive, State Route Number: 5352

From: 0.05 Mi. W of Krenmore Ln., (Rt. 5355)

To: Michmar Dr., (Rt. 5679), a distance of: 0.05 miles.

Right-of-way record was filed on 10/5/1999 with the Office Of Clerk To Circuit Court in Pb.107; Pg 42, with a width of 50 Ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Type Change to the Secondary System of State Highways:      Addition

Basis for Change:      Addition, New subdivision street

Statutory Reference:      §33.1-229

Project:      MacAndrew Glen, Section 1

● Eastfair Drive, State Route Number: 5186

From: 0.05 Mi. E of Sterling Cove Dr., (Rt. 5198)

To: Lyndenwood Dr., (Rt. 5684), a distance of: 0.14 miles.

Right-of-way record was filed on 5/9/2002 with the Office Of Clerk To Circuit Court in Pb.126; Pg. 10, with a width of 90 Ft.

● Eastfair Drive, State Route Number: 5186

From: Lyndenwood Dr., (Rt. 5684)

To: 0.05 Mi. E of Lyndenwood Dr., (Rt. 5684), a distance of: 0.05 miles.

Right-of-way record was filed on 5/9/2002 with the Office Of Clerk To Circuit Court in Pb.126; Pg. 10, with a width of 90 Ft.

● Lyndenwood Drive, State Route Number: 5684

From: Eastfair Dr., (Rt. 5186)

To: MacAndrew Ln., (Rt. 5685), a distance of: 0.08 miles.

Right-of-way record was filed on 5/9/2002 with the Office Of Clerk To Circuit Court in Pb.126; Pg. 10, with a width of 50 Ft.

● **Lyndenwood Drive, State Route Number: 5684**

From: MacAndrew Ln., (Rt. 5685)

To: Sterling Cove Dr., (Rt. 5686), a distance of: 0.42 miles.

Right-of-way record was filed on 5/9/2002 with the Office Of Clerk To Circuit Court in Pb.126; Pg. 10, with a width of 50 Ft.

● **MacAndrew Lane, State Route Number: 5685**

From: Lyndenwood Dr., (Rt. 5684)

To: Cul-de-sac, a distance of: 0.09 miles.

Right-of-way record was filed on 5/9/2002 with the Office Of Clerk To Circuit Court in Pb.126; Pg. 10, with a width of 50 Ft.

● **MacAndrew Lane, State Route Number: 5685**

From: Lyndenwood Dr., (Rt. 5684)

To: 0.06 Mi. E of Lyndenwood Dr., (Rt. 5684), a distance of: 0.06 miles.

Right-of-way record was filed on 5/9/2002 with the Office Of Clerk To Circuit Court in Pb.126; Pg. 10, with a width of 50 Ft.

● **Noltland Court, State Route Number: 5687**

From: Sterling Cove Dr., (Rt. 5686)

To: Cul-de-sac, a distance of: 0.08 miles.

Right-of-way record was filed on 5/9/2002 with the Office Of Clerk To Circuit Court in Pb.126; Pg. 10, with a width of 50 Ft.

● **Sterling Cove Drive, State Route Number: 5686**

From: Lyndenwood Dr., (Rt. 5684)

To: 0.04 Mi. W of Lyndenwood Dr., (Rt. 5684), a distance of: 0.04 miles.

Right-of-way record was filed on 5/9/2002 with the Office Of Clerk To Circuit Court in Pb.126; Pg. 10, with a width of 50 Ft.

● **Sterling Cove Drive, State Route Number: 5686**

From: Lyndenwood Dr., (Rt. 5684)

To: Noltland Ct., (Rt. 5687), a distance of: 0.11 miles.

Right-of-way record was filed on 5/9/2002 with the Office Of Clerk To Circuit Court in Pb.126; Pg. 10, with a width of 50 Ft.

● **Sterling Cove Drive, State Route Number: 5686**

From: Noltland Ct., (Rt. 5687)

To: Cul-de-sac, a distance of: 0.06 miles.

Right-of-way record was filed on 5/9/2002 with the Office Of Clerk To Circuit Court in Pb.126; Pg. 10, with a width of 50 Ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

**Type Change to the Secondary System of State Highways:**      **Addition**

**Basis for Change:**                      **Addition, New subdivision street**

**Statutory Reference:**                **§33.1-229**

**Project:**                      **Foxfire, Section 6**

●                      **Fox Cove Circle, State Route Number: 5613**

From:                      0.01 Mi. S of Marsh Light Ln., (Rt. 5612)

To:                      Fox Lake Tr., (Rt. 5699), a distance of: 0.23 miles.

Right-of-way record was filed on 11/16/2001 with the Office Of Clerk To Circuit Court in Pb.122; Pg. 1,  
with a width of 40 Ft.

●                      **Fox Cove Circle, State Route Number: 5613**

From:                      Fox Lake Tr., (Rt. 5699)

To:                      0.01 Mi. N of Fox Lake Tr., (Rt. 5699), a distance of: 0.01 miles.

Right-of-way record was filed on 11/16/2001 with the Office Of Clerk To Circuit Court in Pb.122; Pg. 1,  
with a width of 40 Ft.

●                      **Fox Lake Terrace, State Route Number: 5699**

From:                      Fox Cove Cr., (Rt. 5613)

To:                      Cul-de-sac, a distance of: 0.18 miles.

Right-of-way record was filed on 11/16/2001 with the Office Of Clerk To Circuit Court in Pb.122; Pg. 1,  
with a width of 40 Ft.

And, further, the Board adopted the following resolution:

WHEREAS, the streets described below are shown on plats recorded in the Clerk's Office of the Circuit Court of Chesterfield County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE BE IT RESOLVED, that this Board requests the Virginia Department of Transportation to add the streets described below to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

AND, BE IT FURTHER RESOLVED, that this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

AND, BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

**Type Change to the Secondary System of State Highways:**      **Addition**

**Basis for Change:**                      **Addition, New subdivision street**

**Statutory Reference:**                **§33.1-229**

**Project:**                      **Brookstone, Section C**

●                      **Abbots Ridge Court, State Route Number: 5704**

From:                      Fox Hurst Dr., (Rt. 4143)

To:                      Cul-de-sac, a distance of: 0.04 miles.

Right-of-way record was filed on 10/31/1997 with the Office Of Clerk To Circuit Court in Pb.96; Pg.20, with  
a width of 43 Ft.

●                      **Abbots Wood Terrace, State Route Number: 5705**

From:                      Fox Hurst Dr., (Rt. 4143)

To:                      Cul-de-sac, a distance of: 0.09 miles.

Right-of-way record was filed on 10/31/1997 with the Office Of Clerk To Circuit Court in Pb.96; Pg.20, with  
a width of 43 Ft.

●                      **Fox Hurst Court, State Route Number: 5703**

From:                      Fox Hurst Dr., (Rt. 4143)

To:                      Cul-de-sac, a distance of: 0.03 miles.

Right-of-way record was filed on 10/31/1997 with the Office Of Clerk To Circuit Court in Pb.96; Pg.20, with  
a width of 43 Ft.

●                      **Fox Hurst Drive, State Route Number: 4143**

From:                      0.04 Mi. S of Derby Ridge Wy., (Rt. 4124)

To:                      Fox Hurst Ct., (Rt. 5703), a distance of: 0.05 miles.



Right-of-way record was filed on 10/31/1997 with the Office Of Clerk To Circuit Court in Pb.96; Pg.20, with a width of 50 Ft.

● **Fox Hurst Drive, State Route Number: 4143**

From: Fox Hurst Ct., (Rt. 5703)

To: Intersection Abbots Ridge Ct., (Rt. 5704) & Abbots Wood Tr., (Rt. 5705), a distance of: 0.07 miles.

Right-of-way record was filed on 10/31/1997 with the Office Of Clerk To Circuit Court in Pb.96; Pg. 20, with a width of 43 Ft.

● **Fox Hurst Drive, State Route Number: 4143**

From: Intersection Abbots Ridge Ct., (Rt. 5704) & Abbots Wood Tr., (Rt. 5705)

To: Cul-de-sac, a distance of: 0.03 miles.

Right-of-way record was filed on 10/31/1997 with the Office Of Clerk To Circuit Court in Pb.96; Pg.20, with a width of 43 Ft.

● **Fox Hurst Terrace, State Route Number: 5702**

From: Fox Hurst Dr., (Rt. 4143)

To: Cul-de-sac, a distance of: 0.08 miles.

Right-of-way record was filed on 10/31/1997 with the Office Of Clerk To Circuit Court in Pb.96; Pg.20, with a width of 43 Ft.

Ayes: Miller, Barber, Humphrey, King and Warren.  
Nays: None.

**8.B.10. APPROVE A SUPPLEMENTAL AGREEMENT TO THE EXISTING DESIGN CONTRACT TO JOYCE ENGINEERING, INCORPORATED FOR THE DESIGN OF THE IMPROVEMENTS TO THE NORTHERN AREA TRANSFER STATION**

On motion of Mr. Warren, seconded by Mr. King, the Board authorized the County Administrator to execute a supplemental agreement in the amount of \$148,851 to Joyce Engineering, Incorporated for the design of the improvements of the Northern Area Transfer Station.

Ayes: Miller, Barber, Humphrey, King and Warren.  
Nays: None.

**8.B.11. APPROVAL OF CHANGE ORDER TO A. D. WHITTAKER CONSTRUCTION COMPANY FOR THE JAIL REPLACEMENT PROJECT**

On motion of Mr. Warren, seconded by Mr. King, the Board authorized the County Administrator to execute a change order in the amount of \$60,913 to the construction contract with A. D. Whittaker Construction Company for the Jail Replacement Project.

Ayes: Miller, Barber, Humphrey, King and Warren.  
Nays: None.

**8.B.12. TRANSFER OF DISTRICT IMPROVEMENT FUNDS**

**8.B.12.a. FROM THE MIDLOTHIAN DISTRICT IMPROVEMENT FUND TO THE SCHOOL BOARD TO PURCHASE A VIDEO CAMERA SECURITY SYSTEM FOR THE COMMONS AREA OF JAMES RIVER HIGH SCHOOL**

On motion of Mr. Warren, seconded by Mr. King, the Board transferred \$1,400 from the Midlothian District Improvement Fund to the School Board to purchase a video camera security system for the commons area of James River High School.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.12.b. FROM THE CLOVER HILL DISTRICT IMPROVEMENT FUND TO THE CHESTERFIELD COUNTY HEALTH CENTER COMMISSION FOR THE ACQUISITION OF ARTWORK, THE MATERIALS NECESSARY TO DISPLAY THE ARTWORK APPROPRIATELY AND THE MAINTENANCE OF THE ARTWORK**

On motion of Mr. Warren, seconded by Mr. King, the Board transferred \$2,000 from the Clover Hill District Improvement Fund to the Chesterfield County Health Center Commission to acquire and display artwork at Lucy Corr Village.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.13. AMENDMENT TO THE BOARD MINUTES OF JANUARY 28, 2004**

On motion of Mr. Warren, seconded by Mr. King, the Board amended the minutes of January 28, 2004, as follows:

FROM:

"On motion of Mr. King, seconded by Mrs. Humphrey, the Board simultaneously nominated/appointed/reappointed Mr. Tim Mick and Mr. Jack Griffin, representing the Bermuda District, to serve on the Parks and Recreation Advisory Commission, whose terms are effective January 1, 2004 and expire December 31, 2006.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None."

TO:

"On motion of Mr. King, seconded by Mrs. Humphrey, the Board simultaneously nominated/appointed/reappointed Mr. Tim Mick and Mr. Jack Griffin, representing the Bermuda District, to serve on the Parks and Recreation Advisory Commission, whose terms are effective January 1, 2004 and expire December 31, 2007.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None."

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**8.B.14. REQUEST FOR A MUSIC/ENTERTAINMENT FESTIVAL PERMIT  
FOR THE RIVER'S BEND CONCERT SERIES**

On motion of Mr. Warren, seconded by Mr. King, The Board approved a request from Stop Child Abuse Now (SCAN) for a music/entertainment festival permit for the River's Bend Concert Series on Friday evenings, May 7 through June 30, 2004 and for rain dates for all Fridays in the month of August.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

The following item was removed from the Consent Agenda for public comment:

**8.B.12.c. FROM THE MATOACA DISTRICT IMPROVEMENT FUND TO THE  
CHESTERFIELD COUNTY HISTORICAL SOCIETY TO PURCHASE  
CHESTERFIELD COUNTY EARLY ARCHITECTURE AND  
HISTORIC SITES BOOK BY JEFFREY M. O'DELL,  
CHESTERFIELD AN OLD VIRGINIA COUNTY 1607-1954  
BY FRANCIS EARL LUTZ, AND CHESTERFIELD AN OLD  
VIRGINIA COUNTY 1955-1989, VOL. II BY DOROTHY  
FULLER SILVERS FOR EACH OF THE ELEVEN HIGH SCHOOLS  
WITHIN THE COUNTY**

Mr. George Beadles stated he would like to see an essay contest for high school seniors with the topic being the most important event that happened in Chesterfield County during the year they were in the seventh grade.

Mrs. Humphrey stated Mr. Beadles' suggestion is a good one.

Mrs. Humphrey then made a motion, seconded by Mr. Warren, for the Board to transfer \$875 from the Matoaca District Improvement Fund to the Chesterfield County Historical Society to purchase Chesterfield County Early Architecture and Historic Sites Book by Jeffrey M. O'Dell, Chesterfield an Old Virginia County 1607-1954 by Francis Earl Lutz, and Chesterfield an Old Virginia County 1955-1989, Vol. II by Dorothy Fuller Silvers for each of the eleven high schools within the county.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mrs. Humphrey requested that a denotation be placed on the inside cover of the books being placed in the libraries indicating that the Board of Supervisors provided the books.

**9. HEARINGS OF CITIZENS ON UNSCHEDULED MATTERS OR CLAIMS**

There were no hearings of citizens on unscheduled matters or claims at this time.

## 10. REPORTS

### 10.A. REPORT ON DEVELOPER WATER AND SEWER CONTRACTS

### 10.B. REPORT ON THE STATUS OF GENERAL FUND BALANCE, RESERVE FOR FUTURE CAPITAL PROJECTS, DISTRICT IMPROVEMENT FUNDS AND LEASE PURCHASES

### 10.C. REPORT OF PLANNING COMMISSION SUBSTANTIAL ACCORD DETERMINATION ON CLOVER HILL HIGH SCHOOL - COSBY SITE (CASE 04PD0285) - AMENDMENT TO SUBSTANTIAL ACCORD (CASE 04PD0188) RELATIVE TO STORM WATER BEST MANAGEMENT PRACTICES

On motion of Mr. Barber, seconded by Mr. Warren, the Board accepted the following reports: a report on Developer Water and Sewer Contracts; a report on the status of General Fund Balance, Reserve for Future Capital Projects, District Improvement Funds and Lease Purchases; and a report of Planning Commission Substantial Accord Determination on Clover Hill High School - Cosby Site (Case 04PD0285) - Amendment to Substantial Accord (Case 04PD0188) Relative to Storm Water Best Management Practices.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

## 11. DINNER

On motion of Mr. Barber, seconded by Mr. King, the Board recessed to the Administration Building, Room 502, for dinner.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Reconvening:

## 12. INVOCATION

Mr. Russell Harris gave the invocation.

## 13. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

Eagle Scout Vincent Sparzak led the Pledge of Allegiance to the flag of the United States of America.

## 14. RESOLUTIONS AND SPECIAL RECOGNITIONS

### 14.B. RECOGNIZING MR. CHRISTOPHER WINSTEAD FOR HIS CONTRIBUTIONS AS RESIDENT ENGINEER TO CHESTERFIELD COUNTY

Mr. Stith introduced Mr. Christopher Winstead who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Chesterfield County's roads are maintained by the Virginia Department of Transportation (VDOT); and

WHEREAS, VDOT provides a resident engineer who serves as a liaison between Chesterfield County and VDOT; and

WHEREAS, for the past five years, Mr. Christopher L. Winstead has been resident engineer for Chesterfield County; and

WHEREAS, Mr. Winstead is a licensed professional engineer; and

WHEREAS, Mr. Winstead is a graduate of Virginia Tech and also of VDOT's engineer training program; and

WHEREAS, Mr. Winstead has served as chairman of the Resident Engineers Committee; and

WHEREAS, Mr. Winstead has been named District Construction Engineer for VDOT's Richmond District.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 14<sup>th</sup> day of April 2004, publicly recognizes Mr. Christopher L. Winstead, extends its appreciation for his professionalism during the past five years, and wishes him continued success in his new position as District Construction Engineer for the Richmond District.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. Miller presented the executed resolution to Mr. Winstead and expressed appreciation for his commitment to the transportation needs of Chesterfield County.

Mr. Winstead expressed appreciation to the Board for the recognition and also for the support provided to him as resident engineer.

**14.C. RECOGNIZING THE 30<sup>TH</sup> ANNIVERSARY OF THE BRANDERMILL COMMUNITY**

Mr. Kappel introduced Mr. Mike Divita, Mr. Clem Carlisle, Mr. John Hughes and Mr. Chuck Rayfield, who were present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Chesterfield County is committed to providing an extraordinary quality of life for its residents; and

WHEREAS, in 1974, the zoning of the 2,800-acre Brandermill community as Chesterfield County's first planned unit development added a significant and positive quality of life enhancement to the county; and

WHEREAS, located on the picturesque, 1,700-acre Swift Creek reservoir, Brandermill offers a lifestyle that is the envy of many other communities; and

WHEREAS, Brandermill has more than 75 miles of public roads, 15 miles of wooded bike trails, three swimming pools, a clubhouse, marina and sailing center, community gardens, open spaces and numerous parks and playgrounds; and

WHEREAS, this rustic and park-like setting has served as a model for many other environmentally-friendly communities; and

WHEREAS, Brandermill's first home was completed in 1976, and now the community boasts 4,000 homes, 150 businesses and more than 12,000 residents; and

WHEREAS, the Brandermill Community Association transitioned to citizen control in 1988; and

WHEREAS, the Brandermill Community Association has since set the standard for similar organizations, and has been responsible for the Brandermill community being named "Community of the Year" for 1998; 1999; 2001 and 2002 by the Community Association Institute; and

WHEREAS, the Brandermill community has been recognized as "the best planned community in the United States" by Better Homes and Gardens magazine and by the National Association of Homebuilders.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 14<sup>th</sup> day of April 2004, hereby extends its congratulations and best wishes to the residents of the Brandermill community as Brandermill celebrates its 30<sup>th</sup> anniversary, thanks the community for the manner in which it has protected the environment, and wishes Brandermill many more years of well-deserved success.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. Warren presented the executed resolution to Mr. Rayfield, accompanied by Mr. Carlisle, Mr. Divita and Mr. Hughes, and commended them on the excellent quality of life that has been provided to Brandermill citizens for 30 years.

Mr. Rayfield, Mr. Carlisle, Mr. Divita and Mr. Hughes each expressed appreciation to the Board for the recognition.

**14.D. RECOGNIZING APRIL 18-24, 2004, AS "ADMINISTRATIVE PROFESSIONALS WEEK" IN CHESTERFIELD COUNTY**

Ms. Margaret Brogley, Human Resource Analyst, introduced Ms. Danika Robinson, Ms. Diane Ware, Ms. Gail Arthur, Ms. Sally Ferrell, Ms. Edith Brown, Ms. Dawn Harper, Ms. Mildred Lackey, Mrs. Judith Proper, Mrs. Corinne Kirkland, Ms. Juanita Wolfe-Cersley, Ms. Angie Wilderman, Ms. Carol Blair and Ms. Amber Cary who were present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, executive secretaries, administrative assistants, office managers, and other administrative

professionals represent one of the largest segments of the labor force; and

WHEREAS, administrative professionals have increased their business contributions in recent years by mastering computer technology and taking vital information management roles; and

WHEREAS, a well-trained and fairly compensated administrative workforce is essential to economic success, both locally and nationally; and

WHEREAS, the purpose of the International Association of Administrative Professionals is to provide education and training and set standards of excellence; and

WHEREAS, the Old Dominion and Tri-Cities Chapters of the International Association of Administrative Professionals, which are active in Chesterfield County and include a number of county employees, support the mission of the national organization by emphasizing the importance of continuing education and building business networks.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 14<sup>th</sup> day of April 2004, publicly recognizes April 18-24, 2004, as "Administrative Professionals Week" and encourages management everywhere to foster professional development opportunities for this critical group of employees.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. Barber presented executed resolutions to Mrs. Kirkland and Ms. Ferrell, and commended all of the county's administrative professionals for the exceptional service they provide.

Ms. Edith Brown expressed appreciation to the Board for the recognition and for being leaders in recognizing the importance of the vital service provided by administrative professionals.

**14.E. RECOGNIZING APRIL 2004, AS "CHILD ABUSE/NEGLECT PREVENTION MONTH"**

Mr. Hammer introduced Ms. Suzanne Fleming, Assistant Director of Social Services, who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, children learn from both the strengths of their families and from their weaknesses; and

WHEREAS, the majority of families offer a safe and secure environment yet an increasing number of families are exposing children to family drug and domestic violence; and

WHEREAS, the increasing instances of drug use by parents and domestic violence between partners are stretching the

ability of government systems to "protect" children at risk;  
and

WHEREAS, extended family, friends and neighbors are often the first to be aware of drug use and violence in a home; and

WHEREAS, professionals do not stand alone in their responsibility to help protect children and provide help to families; and

WHEREAS, there is no greater power than the power of family and a caring community; and

WHEREAS, making a difference in the life of a child requires whenever possible the community working in concert with social workers, school personnel, police and the courts.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 14<sup>th</sup> day of April 2004, publicly recognizes April 2004, as "Child Abuse/Neglect Prevention Month," and encourages all citizens to help in this increasing challenge of protecting our communities' children.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mrs. Humphrey presented the executed resolution to Ms. Fleming and encouraged citizen participation in the prevention of child abuse and neglect.

Ms. Fleming expressed appreciation to the Board for its support of the child abuse prevention team.

**14.F. RECOGNIZING THE COALITION FOR ACTIVE CHILDREN FOR ITS' CONTRIBUTIONS TO THE HEALTH OF OUR YOUTH**

Mr. Hammer introduced Dr. Nelson, Ms. Gail Sutler, Ms. Lauri Savage and Ms. Lucie Ferguson, who were present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Chesterfield County recognizes that our young people are treasures that we hold dear; and

WHEREAS, Chesterfield County is committed to working to provide our young citizens with the best quality of life attainable; and

WHEREAS, the Chesterfield Coalition for Active Children (COACH) is a partnership that focuses on improving children's health by encouraging better nutrition and increased physical activity; and

WHEREAS, COACH members are from public and private organizations and include health, education, physical fitness and nutrition professionals; and



WHEREAS, nationally, 30 percent of children are overweight or at risk of being overweight, with serious implications for their health; and

WHEREAS, COACH provides information and resources to help young parents start, and keep, their children on the path to good health; and

WHEREAS, national studies have shown that children who are healthy have better self-esteem and self confidence; and

WHEREAS, healthy children also perform better in school; and

WHEREAS, changing eating habits and increasing physical activity are the keys to lifelong health.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 14th day of April 2004, publicly recognizes the Coalition for Active Children, extends appreciation to all those involved for their work to assist Chesterfield County families with establishing healthy lifestyles for our young people, and encourages families to work together to develop and maintain good nutrition and active lifestyles that will foster lifelong health.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. King presented the executed resolution to Dr. Nelson, accompanied by Ms. Sutler, Ms. Savage and Ms. Ferguson, and expressed appreciation for COACH's contributions to the health of our youth.

Dr. Nelson expressed appreciation to the Board for its support and also to various agencies who partner with the county to improve children's health.

**14.G. RECOGNIZING BOY SCOUTS UPON ATTAINING THE RANK OF EAGLE SCOUT**

**14.G.1. MICHAEL PAUL DEBIASE, BERMUDA DISTRICT**

Mr. Hammer introduced Mr. Michael DeBiase, who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Michael Paul DeBiase, Troop 815, sponsored by Chester United Methodist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Michael has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 14th day of April 2004, recognizes Mr. Michael Paul DeBiase, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. King presented the executed resolution and patch to Mr. DeBiase, accompanied by members of his family, congratulated him on his outstanding achievement, and wished him well in his future endeavors.

Mr. DeBiase expressed appreciation to the Board for the recognition and also to his family, friends and scoutmasters for their support.

#### **14.G.2. VINCENT MICHAEL SPARZAK, MIDLOTHIAN DISTRICT**

Mr. Hammer introduced Mr. Vincent Sparzak, who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Vincent Michael Sparzak, Troop 876, sponsored by Mount Pisgah United Methodist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Vince has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 14th day of April 2004, recognizes Mr. Vincent Michael Sparzak, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. Barber presented the executed resolution and patch to Mr. Sparzak, accompanied by members of his family, congratulated him on his outstanding achievement, and wished him well in his future endeavors.

Mr. Sparzak expressed appreciation to the Board for the recognition and also to his parents for their support.

#### **14.G.3. BRANDON NOBLE PIERCE, MIDLOTHIAN DISTRICT**

Mr. Hammer introduced Mr. Brandon Pierce, who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Brandon Noble Pierce, Troop 876, sponsored by Mount Pisgah United Methodist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Brandon has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 14th day of April 2004, recognizes Mr. Brandon Noble Pierce, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. Barber presented the executed resolution and patch to Mr. Pierce, accompanied by members of his family, congratulated him on his outstanding achievement, and wished him well in his future endeavors.

Mr. Pierce expressed appreciation to the Board for the recognition and also to his scoutmasters, friends and family for their support.

**14.G.4. BRIAN CHRISTOPHER FAULKNER, MATOACA DISTRICT**

Mr. Hammer introduced Mr. Brian Faulkner, who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Brian Christopher Faulkner, Troop 806, sponsored by Woodlake United Methodist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Brian has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 14th day of April 2004, recognizes Mr. Brian Christopher Faulkner, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mrs. Humphrey presented the executed resolution and patch to Mr. Faulkner, accompanied by members of his family, congratulated him on his outstanding achievement, and wished him well in his future endeavors.

Mr. Faulkner expressed appreciation to the Board for the recognition and also to his family, friends and scoutmasters for their support.

**14.G.5. RYAN MATTHEW FINNERTY, MATOACA DISTRICT**

Mr. Hammer introduced Mr. Ryan Finnerty, who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Ryan Matthew Finnerty, Troop 806, sponsored by Woodlake United Methodist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Ryan has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 14th day of April 2004, recognizes Mr. Ryan Matthew Finnerty, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mrs. Humphrey presented the executed resolution to Mr. Finnerty, accompanied by members of his family, congratulated him on his outstanding achievement, and wished him well in his future endeavors.

Mr. Finnerty expressed appreciation to the Board for the recognition and also to his parents, church and members of his troop for their support.

**14.G.6. JOSEPH THOMAS HUBBARD, MATOACA DISTRICT**

Mr. Hammer introduced Mr. Joseph Hubbard, who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Joseph Thomas Hubbard, Troop 806, sponsored by Woodlake United Methodist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, J. T. has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 14th day of April 2004, recognizes Mr. Joseph Thomas Hubbard, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mrs. Humphrey presented the executed resolution and patch to Mr. Hubbard, accompanied by members of his family, congratulated him on his outstanding achievement, and wished him well in his future endeavors.

Mr. Hubbard expressed appreciation to the Board for the recognition and also to his parents, grandparents and scoutmaster for their support.

**14.G.7. DANIEL FREDERICK SHROM, MATOACA DISTRICT**

Mr. Hammer introduced Mr. Daniel Shrom, who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to his community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law; and

WHEREAS, Mr. Daniel Frederick Shrom, Troop 806, sponsored by Woodlake United Methodist Church, has accomplished those high standards of commitment and has reached the long-sought goal of Eagle Scout, which is earned by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through his experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare himself for a role as a leader in society, Daniel has distinguished himself as a member of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 14th day of April 2004, recognizes Mr. Daniel Frederick Shrom, extends congratulations on his attainment of Eagle Scout, and acknowledges the good fortune of the County to have such an outstanding young man as one of its citizens.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mrs. Humphrey presented the executed resolution and patch to Mr. Shrom, accompanied by members of his family, congratulated him on his outstanding achievement, and wished him well in his future endeavors.

Mr. Shrom expressed appreciation to the Board for the recognition and also to his family, scoutmaster and fellow scouts for their encouragement and support.

- 15. REQUESTS FOR MOBILE HOME PERMITS AND REZONING PLACED ON THE CONSENT AGENDA TO BE HEARD IN THE FOLLOWING ORDER:**  
**- WITHDRAWALS/DEFERRALS - CASES WHERE THE APPLICANT ACCEPTS THE RECOMMENDATION AND THERE IS NO OPPOSITION**  
**- CASES WHERE THE APPLICANT DOES NOT ACCEPT THE RECOMMENDATION AND/OR THERE IS PUBLIC OPPOSITION WILL BE HEARD AT SECTION 17**

**04SN0151**

In Midlothian Magisterial District, CHARTER COLONY SENIOR ASSOC., L.P. requests amendment to Conditional Use Planned Development (Case 94SN0138) and amendment of zoning district

map to permit exceptions to Multifamily Residential (R-MF) District standards. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for planned transition area uses. This request lies in a Residential (R-7) District on 8.1 acres fronting approximately 700 feet on the north line of Woolridge Road, also fronting approximately 500 feet on the west line of Coalfield Road and located in the northwest quadrant of the intersection of these roads. Tax ID 726-702-Part of 9236 (Sheet 5).

Mr. Jacobson presented a summary of Case 04SN0151 and stated both the Planning Commission and staff recommend approval of the exceptions to units per floor, recreation and parking provisions. He further stated staff recommends denial of the exception to access provisions because the applicant fails to provide sufficient information supporting the exception. He stated the Planning Commission recommended approval of the request for an exception to access provisions after the applicant provided information pertaining to wetlands and steep slopes in the area and the Fire Department indicated that maintenance of an emergency access is less of a problem for multi-family projects than single-family neighborhoods. He further stated the applicant has submitted additional proffered conditions to address issues raised by area residents relative to age-restriction, density, architectural treatment, landscaping and improved pedestrian access, noting that staff recommends approval of the additional proffered conditions.

Mr. Jeff Collins, representing the applicant, stated he believes the proposed gated emergency access is reasonable for the subject property because it will serve the facility safely without disturbing the wetlands. He further stated additional proffered conditions have been submitted to provide enhancements to the project and address concerns of area residents. He requested the Board's approval of the proposal.

Mr. Miller called for public comment.

No one came forward to speak to the request.

Mr. Barber expressed appreciation to the applicant for addressing the concerns of area residents.

Mr. Barber then made a motion, seconded by Mr. King, for the Board to suspend its rules at this time to allow for the amended proffered conditions.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

On motion of Mr. Barber, seconded by Mrs. Humphrey, the Board approved Case 04SN0151 subject to the following condition:

The following exceptions to the Multifamily Residential (R-MF) District requirements of the Zoning Ordinance shall apply to multifamily development on the subject property:

- A. Dwelling units. There shall be no maximum number of units permitted on any one (1) floor level of a building.



- B. Recreation area required. There shall be no minimum acreage provision for recreational facilities.

(Note: Section 19-111(f) requires the provision of sidewalks for multi-family development. The exact location and design will be reviewed during the site plan review process.)

- C. Parking. Parking shall be provided at a ratio of 1.2 spaces per dwelling unit. (P)

(Note: This condition is in addition to the requirements of Case 94SN0138 Textual Statement for Tract 2, Item 4, for the subject property only.)

And, further, the Board accepted the following proffered conditions:

1. Except as otherwise prohibited by the Virginia Fair Housing Law, the Federal Housing Law, and such other applicable federal, state, or local legal requirements, dwelling units shall be restricted to persons 55 years of age or older and shall have no persons under 19 years of age domiciled therein. (B&M)
2. Emergency Access. In lieu of a second road access (public or private), an emergency access shall be provided from Woolridge Road in the location generally shown on site plan 04PR0208, titled "Charter Colony Senior Development", dated October 31, 2003 as prepared by Townes Site Engineering, P.C. prior to occupancy of more than fifty (50) units. The design and maintenance of this access shall be reviewed and approved by the Fire Department in conjunction with site plan approval. (F)
3. The area west of and including the wetlands as shown on the site plan titled "Charter Colony Senior Development", dated October 31, 2003 by Townes Site Engineering, P.C. shall be left in a natural and undisturbed state. The area between the wetlands and the project improvements shall be initially replanted generally in conformance with the plan title "Charter Colony Senior Apartments-Landscape Plan" dated 4/06/04 as prepared by Townes Site Engineering. This shall not preclude the installation of utilities through these areas. (P)
4. A pedestrian walkway system shall be constructed that connects the development to Woolridge Road and also facilitates access to GPIN 727-704-9767, the adjacent church property, as generally shown on the plan title "Charter Colony Senior Apartments-Landscape Plan" dated 4/06/2004 as prepared by Townes Site Engineering. (P)
5. Buildings shall have a maximum height of four (4) stories or fifty (50) feet, whichever is the lesser of the two, measured from the average grade elevation along the front of the building and the average height of the highest roof peak and its associated gutter. (P)

6. A maximum of one hundred thirteen (113) dwelling units shall be permitted. (P)
7. The building elevations shall be in substantial compliance with sheet A1, dated 4/7/04, titled "Front Elevation, Atlantic Senior Development Charter Colony", By Edward H. Winks - James D. Snow Architects P.C. Further, the HVAC grilles shall be of a material that blends with the brick veneer or siding to which the grille is attached. The soldier courses of brick above and below the windows on the brick veneer façade shall be of a different yet complimentary hue to that of the brick veneer façade so as to provide architectural accent. Roof shingles shall be dimensional shingles. (P)
8. Initial landscaping shall be installed generally in conformance with the plan titled "Charter Colony Senior Apartments-Landscape Plan" dated 4/06/2004 as prepared by Townes Site Engineering. This proffered condition does not supersede the requirements of the Zoning Ordinance. (P)

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

#### **16. PUBLIC HEARINGS**

##### **16.G. TO CONSIDER AN ORDINANCE TO VACATE A PORTION OF PERDUE LUMBER COMPANY SUBDIVISION**

Mr. Stith stated this date and time has been advertised for a public hearing to consider an ordinance to vacate a portion of Perdue Lumber Company Subdivision.

Mr. Miller called for public comment.

No one came forward to speak to the ordinance.

On motion of Mrs. Humphrey, seconded by Mr. King, the Board adopted the following ordinance:

AN ORDINANCE whereby the COUNTY OF CHESTERFIELD, VIRGINIA, ("GRANTOR") vacates to GILES PROPERTIES, LLC, a Virginia limited liability company, GRAND OAKS APARTMENTS, L.P., a Virginia limited partnership, and ROBERT B. GILES, TRUSTEE, and JAMES C. MORRIS, JR., TRUSTEE, Substitute Trustees under a certain Trust Agreement dated SEPTEMBER 1, 1991, and known as The Crowder Trust, ("GRANTEES"), portions of Perdue Lumber Company Subdivision, BERMUDA Magisterial District, Chesterfield County, Virginia, as shown on a plat thereof duly recorded in the Clerk's Office of the Circuit Court of Chesterfield County in Plat Book 3, at Page 153.

WHEREAS, NRP HOLDINGS, LLC, petitioned the Board of Supervisors of Chesterfield County, Virginia to vacate portions of Perdue Lumber Company Subdivision, BERMUDA Magisterial District, Chesterfield County, Virginia more particularly shown on a plat of record in the Clerk's Office of the Circuit Court of said County in Plat Book 3, Page 153,

by W.W. LAPRADE & BROS., dated NOVEMBER 8, 1918, recorded NOVEMBER 18, 1918. The portion of subdivision petitioned to be vacated are more fully described as follows:

Lot B and Parts of Lot A and Lot C, Perdue Lumber Company Subdivision, as shown on a plat made by TIMMONS GROUP, dated DECEMBER 15, 2003, and revised APRIL 12, 2004, a copy of which is attached hereto and made a part of this Ordinance.

WHEREAS, notice has been given pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended, by advertising.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF CHESTERFIELD COUNTY, VIRGINIA:

That pursuant to Section 15.2-2272 of the Code of Virginia, 1950, as amended, the aforesaid lots be and are hereby vacated.

This Ordinance shall be in full force and effect in accordance with Section 15.2-2272 of the Code of Virginia, 1950, as amended, and a certified copy of this Ordinance, together with the plat attached hereto shall be recorded no sooner than thirty days hereafter in the Clerk's Office of the Circuit Court of Chesterfield County, Virginia pursuant to Section 15.2-2276 of the Code of Virginia, 1950, as amended.

The effect of this Ordinance pursuant to Section 15.2-2274 is to destroy the force and effect of the recording of the portions of the plat vacated.

Accordingly, this Ordinance shall be indexed in the names of the COUNTY OF CHESTERFIELD as GRANTOR, and GILES PROPERTIES, LLC, a Virginia limited liability company, GRAND OAKS APARTMENTS, L.P., a Virginia limited partnership, and ROBERT B. GILES, TRUSTEE, and JAMES C. MORRIS, JR., TRUSTEE, Substitute Trustees under a certain Trust Agreement dated SEPTEMBER 1, 1991, and known as The Crowder Trust, or their successors in title, as GRANTEES.

Ayes: Miller, Barber, Humphrey, King and Warren.  
Nays: None.

Mr. Miller excused himself from the meeting.

**16.A. TO CONSIDER THE PUBLIC FACILITIES PLAN, AN AMENDMENT TO THE PLAN FOR CHESTERFIELD RELATING TO PUBLIC FACILITY NEEDS THROUGH 2022**

Mr. Jacobson stated this date and time has been advertised for a public hearing to consider the Public Facilities Plan relating to public facility needs through 2022. He reviewed changes recommended by Mr. Barber and Mr. Ramsey to the language adopted by the Planning Commission.

Mr. Barber called for public comment.

Ms. Marleen Durfee, representing the Task Force for Responsible Growth, Incorporated, requested that the Board revisit the categories relative to the middle school locations to allow flexibility for the School Board to determine the appropriate middle school locations based on the data and criteria provided by the Plan as well as any current data available to the School Board. She suggested moving the 2012 projected deadline for the western middle school to 2008 due to the extreme overcrowding that currently exists. She provided data relative to projected middle school population, current capacity and enrollment, indicating that there is significant overcrowding in the western community. She stated she believes the best possible location for a middle school would be in a vicinity west of Route 288 and north of Genito Road, indicating that the Midlothian, Clover Hill and Matoaca Districts would all benefit from this location.

Ms. Kathy Kirk, President of the Task Force for Responsible Growth, Incorporated, stated she believes it is very important that taxpayers know the location of a proposed middle school prior to the bond referendum. She provided the Board with a comparison of data relative to growth in the northeast and western communities, indicating that the growth potential of the western communities supports a middle school. She suggested that language be changed in the Plan to provide flexibility for the School Board as well as provide for the use of objective data in determining a location for the middle school.

Mr. Miller returned to the meeting; however, Mr. Barber continued to preside over the meeting.

Mr. Greg Blake, a member of the Task Force for Responsible Growth, Incorporated, stated he agrees that it is better not to have a choice between two middle school sites. He further stated he believes the northeast community is in need of reconstruction, but the western community is in bad shape because of overcrowding. He stated he believes one location in the middle of the two proposed alternatives will provide greater assurance that the bond referendum will be approved.

There being no one else to speak to the issue, the public hearing was closed.

Mr. King stated he supports flexibility for the School Board to determine the best possible location for schools and has great confidence in their ability to do so.

In response to Mr. Warren's question, Mr. Ramsey stated the School Board has not yet made a choice regarding the location of the proposed middle school, but is comfortable with the language in the Plan.

In response to Mr. Warren's question, Mr. Jacobson stated the Planning Commission recommended approval of the Plan on a three to two vote.

Mr. Ramsey clarified that none of his recommended changes pertain to the middle school issue.

In response to Mr. Warren's question, Ms. Durfee reiterated that she believes the middle school site should be west of

Route 288 and north of Genito Road to provide relief for both current and future school overcrowding.

In response to Mr. King's question, Mr. Jacobson stated staff does not support the idea of a school halfway in between the two proposed sites because there is good coverage for the students in that area. He further stated the alternatives would support either the Courthouse Corridor or the known future growth for the western area, indicating that there was not a clear planning rationalization to support one location over the other.

Mr. Miller stated he believes the Plan provides flexibility for the School Board to decide where the middle school will be located.

Mr. Jacobson stated the Plan supports a middle school site in either of the proposed general areas and the School Board would be given the flexibility to determine the site. He further stated the Plan is not meant to be site specific.

In response to Mr. King's question, Mr. Jacobson stated the language proposed by the Planning Commission would not allow a middle school location in the vicinity suggested by Ms. Durfee.

Mr. King inquired whether there would be a disadvantage to include language that would accommodate three potential middle school sites and give the School Board the flexibility to choose between the three.

Mr. Barber stated it is his understanding that the School Board is comfortable with the language and feels the Plan will provide for adequate middle school space.

Mr. Miller stated the language is acceptable to School Board and he is prepared to give the School Board discretion to site the middle school.

Mrs. Humphrey noted that, although a specific site had not been chosen for the new Matoaca High School, more than 75 percent of the voters supported the 1996 bond referendum.

Mr. Warren stated he believes the interpretation of the Plan could be considerably wider than the two proposed locations. He further stated he understands what the task force is requesting, but the School Board, Planning Commission and staff all support the proposed language.

Mrs. Humphrey stated that, as growth patterns continue, the Plan could change, indicating that the School Board has the ability to readjust the proposal based on school population data.

Mr. Warren requested that the information presented by the task force members tonight be provided to Dr. Cannaday for informational purposes.

Mrs. Humphrey made a motion, seconded by Mr. Miller, for the Board to approve the Public Facilities Plan relating to public facility needs through 2022, including the changes recommended by both Mr. Ramsey and Mr. Barber.

Ayes: Miller, Barber, Humphrey, King and Warren.  
Nays: None.

**16.B. TO CONSIDER AMENDMENTS TO THE ZONING ORDINANCE TO  
ALLOW SINGLE-FAMILY RESIDENCES AS USES PERMITTED  
WITH CERTAIN RESTRICTIONS WITHIN THE ETTRICK  
VILLAGE CORE AND MATOACA VILLAGE CORE VILLAGE  
COMMERCIAL AREAS**

Mr. Jacobson stated this date and time has been advertised for the Board to consider amendments to the Zoning Ordinance to allow single-family residences as uses permitted with certain restrictions within the Ettrick Village Core and Matoaca Village Core Village Commercial Areas.

Mrs. Humphrey stated proposed amendments will provide flexibility to allow residents to repair their homes that were damaged during Hurricane Isabel.

Mr. Barber called for public comment.

No one came forward to speak to the ordinance amendment.

On motion of Mrs. Humphrey, seconded by Mr. King, the Board adopted the following ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF  
CHESTERFIELD, 1997, AS AMENDED, BY AMENDING AND  
RE-ENACTING SECTIONS 19-131 AND 19-144 OF THE ZONING  
ORDINANCE RELATING TO SINGLE FAMILY DWELLINGS IN O AND C  
DISTRICTS IN THE ETTRICK VILLAGE CORE AND MATOACA VILLAGE  
CORE

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Sections 19-131 and 19-144 of the Code of the County of Chesterfield, 1997, as amended, are amended and re-enacted to read as follows:

**DIVISION 16. O-1 NEIGHBORHOOD OFFICE DISTRICT**

o o o

**Sec. 19-131. Uses permitted with certain restrictions.**

The following uses shall be permitted in the O-1 District subject to compliance with the following conditions and other applicable standards of this chapter. If the following restrictions cannot be met, these uses may be allowed by conditional use, subject to section 19-13:

o o o

(i) Single-family dwellings, provided that:

- (1) The dwellings are located in the Ettrick Village Core and Matoaca Village Core village commercial areas.
- (2) The dwellings are located on lots of not less than 7,000 square feet in area and not less than 50 feet in width.

These dwellings shall be exempt from Division 3, Development Requirements - Office, Commercial and Industrial,

except for setback requirements, and except for architectural treatment (section 19-611).

o o o

#### **DIVISION 18. C-1 CONVENIENCE BUSINESS DISTRICT**

o o o

##### **Sec. 19-144. Permitted uses by right.**

Within any C-1 District, no buildings, structures or premises shall be used, arranged or designed to be used except for one or more of the following uses:

o o o

- (m) Florist shop.
- (n) Grocery store.
- (o) Hardware store.
- (p) Nursery schools and child or adult care centers and kindergartens.
- (q) Offices.
- (r) Restaurants, not including fast food or carry-out restaurants.
- (s) Shoe repair shop.
- (t) Shopping centers.
- (u) Tailoring and dressmaking shops.
- (v) Massage clinics.
- (w) Underground utility uses when such uses are located in easements or in public road rights-of-way, except as provided in section 19-145(a).
- (x) Video rental and sales store.

o o o

(2) That this ordinance shall become effective immediately upon adoption.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

Mr. Miller returned to presiding over the meeting.

#### **16.C. TO CONSIDER LEASING OF SPACE IN THE FAIRGROUNDS EXHIBITION BUILDING**

Mr. Stith stated this date and time has been advertised for a public hearing to consider leasing of space in the Fairgrounds Exhibition Building.

Mr. Miller called for public comment.

No one came forward to speak to the issue.

On motion of Mr. Miller, seconded by Mrs. Humphrey, the Board approved the leasing of space in the Fairground Exhibition Building by F.C. Richmond Soccer Club for youth soccer training and clinics.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**16.D. TO CONSIDER AN ORDINANCE TO VACATE A TWENTY-FOOT  
TEMPORARY CONSTRUCTION EASEMENT, A VARIABLE WIDTH  
TEMPORARY CONSTRUCTION EASEMENT, A VIRGINIA DEPARTMENT  
OF TRANSPORTATION SLOPE AND DRAINAGE EASEMENT, AND  
PORTIONS OF FORTENBERRY DRIVE, WITHIN RIVER'S TRACE,  
SECTIONS B AND C**

Mr. Stith stated this date and time has been advertised for a public hearing to consider an ordinance to vacate a 20-foot temporary construction easement, a variable width temporary construction easement, a Virginia Department of Transportation slope and drainage easement, and portions of Fortenberry Drive, within River's Trace, Sections B and C.

Mr. Miller called for public comment.

No one came forward to speak to the ordinance.

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board adopted the following ordinance:

AN ORDINANCE whereby the COUNTY OF CHESTERFIELD, VIRGINIA, ("GRANTOR") vacates to FOXFIELD CONSTRUCTION, INC., a Virginia corporation, JASON SEAMSTER and SHAWN T. SEAMSTER, CHRISTOPHER P. SPORTELLLO and CANDACE L. SPORTELLLO, (husband and wife), CHRISTOFFE L. MOREAU and DEANNA M. MOREAU, (husband and wife), and KENNETH A. HAYES and LEEANNE S. HAYES, (husband and wife), ("GRANTEE"), a 20' temporary construction easement, a variable width temporary construction easement, a VDOT slope and drainage easement, and portions of Fortenberry Drive within River's Trace, Sections B and C, MATOACA Magisterial District, Chesterfield County, Virginia, as shown on plats thereof duly recorded in the Clerk's Office of the Circuit Court of Chesterfield County in Plat Book 119, at Pages 35 and 39.

WHEREAS, FOXFIELD CONSTRUCTION, INC., petitioned the Board of Supervisors of Chesterfield County, Virginia to vacate a 20' temporary construction easement, a variable width temporary construction easement, a VDOT slope and drainage easement, and portions of Fortenberry Drive within River's Trace, Sections B and C, MATOACA Magisterial District, Chesterfield County, Virginia more particularly shown on plats of record in the Clerk's Office of the Circuit Court of said County in Plat Book 119, Pages 35 and 39, by BALZER AND ASSOCIATES, dated JUNE 5, 2001 and JUNE 21, 2001, and recorded JULY 18,, 2001 and JULY 19, 2001. The easements and portions of right of way petitioned to be vacated are more fully described as follows:



A 20' temporary construction easement, a variable width temporary construction easement, a VDOT slope and drainage easement, and portions of Fortenberry Drive within River's Trace, Sections B and C, the location of which is more fully shown on a plat made by BALZER AND ASSOCIATES, dated FEBURARY 5, 2004, and revised MARCH 29, 2004, a copy of which is attached hereto and made a part of this Ordinance.

WHEREAS, notice has been given pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended, by advertising; and,

WHEREAS, no public necessity exists for the continuance of the easements and portions of right of way sought to be vacated.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF CHESTERFIELD COUNTY, VIRGINIA:

That pursuant to Section 15.2-2272 of the Code of Virginia, 1950, as amended, the aforesaid easements and portions of right of way be and are hereby vacated.

This Ordinance shall be in full force and effect in accordance with Section 15.2-2272 of the Code of Virginia, 1950, as amended, and a certified copy of this Ordinance, together with the plat attached hereto shall be recorded no sooner than thirty days hereafter in the Clerk's Office of the Circuit Court of Chesterfield County, Virginia pursuant to Section 15.2-2276 of the Code of Virginia, 1950, as amended.

The effect of this Ordinance pursuant to Section 15.2-2274 is to destroy the force and effect of the recording of the portion of the plat vacated. This Ordinance shall vacate the easements to the underlying lot owners and vest fee simple title of the portion of right of way within River's Trace, Section B in the owners of Lot 10, and the portion of right of way within River's Trace, Section C in the owners of Lot 14, free and clear of any rights of public use.

Accordingly, this Ordinance shall be indexed in the names of the COUNTY OF CHESTERFIELD as GRANTOR, and FOXFIELD CONSTRUCTION, INC., a Virginia corporation, JASON SEAMSTER and SHAWN T. SEAMSTER, CHRISTOPHER P. SPORTELO and CANDACE L. SPORTELO, (husband and wife), CHRISTOFFE L. MOREAU and DEANNA M. MOREAU, (husband and wife), and KENNETH A. HAYES and LEEANNE S. HAYES, (husband and wife), or their successors in title, as GRANTEE.

Ayes: Miller, Barber, Humphrey, King and Warren.  
Nays: None.

**16.E. TO CONSIDER AN ORDINANCE TO VACATE A FIFTEEN-FOOT ALLEY WITHIN BLOCK D, VILLAGE OF BENSLEY**

Mr. Stith stated this date and time has been advertised for a public hearing to consider an ordinance to vacate a 15-foot alley between Lots 1 thru 5 and Lot 6, Block D, Village of Bensley.

Mr. Miller called for public comment.

No one came forward to speak to the ordinance.

On motion of Mr. King, seconded by Mrs. Humphrey, the Board adopted the following ordinance:

AN ORDINANCE whereby the COUNTY OF CHESTERFIELD, VIRGINIA, ("GRANTOR") vacates to WILLIAM T. STUBBS and DELVINA R. STUBBS, his wife, and ROGER N. HOOVER and NANCY R. HOOVER, his wife, ("GRANTEE"), a 15' alley between Lots 1 through 5 and Lot 6, Block D, Village of Bensley, BERMUDA Magisterial District, Chesterfield County, Virginia, as shown on a plat thereof duly recorded in the Clerk's Office of the Circuit Court of Chesterfield County in Plat Book 3, at Page 194.

WHEREAS, WILLIAM T. STUBBS and DELVINA R. STUBBS, petitioned the Board of Supervisors of Chesterfield County, Virginia to vacate a 15' alley between Lots 1 through 5 and Lot 6, Block D, Village of Bensley, BERMUDA Magisterial District, Chesterfield County, Virginia more particularly shown on a plat of record in the Clerk's Office of the Circuit Court of said County in Plat Book 3, Page 194, by ATLANTIC COAST REALTY CO., dated MAY 1920, and recorded MAY 17, 1920. The alley petitioned to be vacated is more fully described as follows:

A 15' alley between Lots 1 through 5 and Lot 6, Block D, Village of Bensley, the location of which is more fully shown on a plat made by ATLANTIC COAST REALTY CO., dated MAY 1920, recorded MAY 17, 1920, a copy of which is attached hereto and made a part of this Ordinance.

WHEREAS, notice has been given pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended, by advertising; and,

WHEREAS, no public necessity exists for the continuance of the alley sought to be vacated.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF CHESTERFIELD COUNTY, VIRGINIA:

That pursuant to Section 15.2-2272 of the Code of Virginia, 1950, as amended, the aforesaid alley be and is hereby vacated.

This Ordinance shall be in full force and effect in accordance with Section 15.2-2272 of the Code of Virginia, 1950, as amended, and a certified copy of this Ordinance, together with the plat attached hereto shall be recorded no sooner than thirty days hereafter in the Clerk's Office of the Circuit Court of Chesterfield County, Virginia pursuant to Section 15.2-2276 of the Code of Virginia, 1950, as amended.

The effect of this Ordinance pursuant to Section 15.2-2274 is to destroy the force and effect of the recording of the portion of the plat vacated. This Ordinance shall vest

fee simple title to the centerline of the alley hereby vacated in the property owners of Lots 1 through 5 and Lot 6, Block D, within Village of Bensley, free and clear of any rights of public use.

Accordingly, this Ordinance shall be indexed in the names of the COUNTY OF CHESTERFIELD as GRANTOR, and WILLIAM T. STUBBS and DELVINA R. STUBBS and ROGER N. HOOVER and NANCY R. HOOVER, or their successors in title, as GRANTEE.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**16.F. TO CONSIDER AN ORDINANCE TO VACATE A PORTION OF A FIFTY-FOOT UNIMPROVED RIGHT OF WAY KNOWN AS KNIGHTSBRIDGE ROAD AND A TEMPORARY TURNAROUND EASEMENT WITHIN SHENANDOAH, SECTION A**

Mr. Stith stated this date and time has been advertised for a public hearing to consider an ordinance to vacate a portion of a 50-foot unimproved right of way known as Knightsbridge Road and a temporary turnaround easement within Shenandoah, Section A.

Mr. Miller called for public comment.

No one came forward to speak to the ordinance.

On motion of Mr. Warren, seconded by Mr. Barber, the Board adopted the following ordinance:

AN ORDINANCE whereby the COUNTY OF CHESTERFIELD, VIRGINIA, ("GRANTOR") vacates to WILLIAM B. WRIGHT and BARBARA J. WRIGHT, husband and wife, and HARRY P. DALTON and CAROLE I. DALTON, his wife, ("GRANTEE"), a portion of a 50' unimproved right of way known as Knightsbridge Road, and a temporary turnaround easement, Shenandoah, Section A, CLOVER HILL Magisterial District, Chesterfield County, Virginia, as shown on a plat thereof duly recorded in the Clerk's Office of the Circuit Court of Chesterfield County in Plat Book 14, at Page 24.

WHEREAS, CHURCH #9509 L.P., a Georgia limited partnership, petitioned the Board of Supervisors of Chesterfield County, Virginia to vacate a portion of a 50' unimproved right of way known as Knightsbridge Road, and a temporary turnaround easement, Shenandoah, Section A, CLOVER HILL Magisterial District, Chesterfield County, Virginia more particularly shown on a plat of record in the Clerk's Office of the Circuit Court of said County in Plat Book 14, Page 24, by J. K. TIMMONS, dated SEPTEMBER 8, 1964, recorded SEPTEMBER 17, 1964. The portion of right of way and easement petitioned to be vacated is more fully described as follows:

A portion of a 50' unimproved right of way known as Knightsbridge Road, and a temporary turnaround easement, Shenandoah, Section A, the location of which is more fully shown on a plat made by AES CONSULTING ENGINEERS, dated MARCH 19, 2004, a copy of which is attached hereto and made a part of this Ordinance.

WHEREAS, notice has been given pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended, by advertising; and,

WHEREAS, no public necessity exists for the continuance of the portion of right of way and easement sought to be vacated.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF CHESTERFIELD COUNTY, VIRGINIA:

That pursuant to Section 15.2-2272 of the Code of Virginia, 1950, as amended, the aforesaid portion of right of way and easement be and is hereby vacated.

GRANTEE hereby conveys unto the GRANTOR and GRANTOR hereby reserves a 16' water easement, an 8' alley easement, and a 50' drainage easement over the entire portion of Knightsbridge Road hereby vacated.

This Ordinance shall be in full force and effect in accordance with Section 15.2-2272 of the Code of Virginia, 1950, as amended, and a certified copy of this Ordinance, together with the plat attached hereto shall be recorded no sooner than thirty days hereafter in the Clerk's Office of the Circuit Court of Chesterfield County, Virginia pursuant to Section 15.2-2276 of the Code of Virginia, 1950, as amended.

The effect of this Ordinance pursuant to Section 15.2-2274 is to destroy the force and effect of the recording of the portion of the plat vacated. This Ordinance shall vest fee simple title of the portion of right of way and easement hereby vacated in the abutting property owners within Shenandoah, Section A free and clear of any rights of public use.

Accordingly, this Ordinance shall be indexed in the names of the COUNTY OF CHESTERFIELD as GRANTOR, and WILLIAM B. WRIGHT and BARBARA J. WRIGHT, husband and wife, and HARRY P. DALTON and CAROLE I. DALTON, his wife, or their successors in title, as GRANTEE.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**16.H. REQUEST TO QUITCLAIM PORTIONS OF UNIMPROVED RIGHTS OF WAY KNOWN AS FORTENBERRY DRIVE AND TARTAN DRIVE**

Mr. Stith stated this date and time has been advertised for a public hearing to consider a request to quitclaim portions of unimproved rights of way known as Fortenberry Drive and Tartan Drive.

Mr. Miller called for public comment.

No one came forward to speak to the issue.

On motion of Mrs. Humphrey, seconded by Mr. Barber, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute a quitclaim deed to vacate

portions of unimproved rights of way known as Fortenberry Drive and Tartan Drive.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

**17. REMAINING MOBILE HOME PERMITS AND ZONING REQUESTS**

There were no remaining requests for mobile home permits or zoning.

**18. ADJOURNMENT**

On motion of Mr. King, seconded by Mr. Barber, the Board adjourned at 8:57 p.m. until April 28, 2004 at 4:00 p.m.

Ayes: Miller, Barber, Humphrey, King and Warren.

Nays: None.

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Lane B. Ramsey  
County Administrator

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Kelly E. Miller  
Chairman